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सं० 31]

नई दिल्ली, शनिवार, अगस्त 1, 1981/श्रावण 10, 1903

No. 31]

NEW DELHI, SATURDAY, AUGUST 1, 1981/SRAVANA 10, 1903

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक
आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 28 मई, 1981

आयकर

कां०आ० 2040.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "दी इन्स्टिट्यूट ऑफ फ्रान्सिस्कन मिशनरों ऑफ मैर: सोसाइटी ऑफ फ्रान्सिस्कन" अन्तर्गत आने वाली अवधि को निर्धारण वर्ष 1980-81 और 1981-82 के अन्तर्गत आनेवाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3975/फा०सं० 197/116/80-आ०क०(ए1)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 28th May, 1981

INCOME-TAX

S.O. 2040.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Institute of Franciscan Missionaries of Mary Society, Tiruchirappalli" for the purpose of the said section for the period covered by assessment years 1980-81 and 1981-82.

3975/F. No. 197/116/80-IT(AI)]

कां०आ० 2041.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री मारिदममावरी मन्दिर, पेड्डापुलम" को निर्धारण वर्ष 1978-79 से 1981-82 के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3976/फा०सं० 197/120/80-आ०क०(ए1)]

S.O. 2041.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Maridammavari Temple, Peddapuram" for the purpose of the said section for and from the assessment years 1978-79 to 1981-82.

[No. 3976/F. No. 197/120/80-IT(AI)]

नई दिल्ली, 29 मई, 1981

कां०आ० 2042.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए "नरोत्तम लालभाई न्यास, अहमदाबाद" को निर्धारण वर्ष 1980-81 और 1981-82 के अन्तर्गत आनेवाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3980/फा०सं० 197/170/80-आ०क०(ए1)]

New Delhi, the 29th May, 1981

S.O. 2042.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Narotam Lalbhai Trust, Ahmedabad" for the purpose of the said section for the period covered by assessment years 1980-81 and 1981-82.

[No. 3980/F. No. 197/170/80-IT(AI)]

का० आ० 2043.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री सुब्रह्मण्या समाज, मुम्बई" को निर्धारण वर्ष 1980-81 और 1981-82 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3982/फा०सं० 197/130/80-आ० क० (ए1)]

S.O. 2043.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Subramania Samaj, Bombay" for the purpose of the said section for the period covered by assessment years 1980-81 and 1981-82.

[No. 3982/F. No. 197/130/80-IT(AI)]

का० आ० 2044.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "कस्तूरभाई लालभाई पूर्तन्याम, अहमदाबाद" को निर्धारण वर्ष 1980-81 और 1981-82 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 3983/फा०सं० 197/181/80-आ० क० (ए1)]

S.O. 2044.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Kasturbhai Lalbhai Charity Trust, Ahmedabad" for the purpose of the said section for the period covered by assessment years 1980-81 and 1981-82.

[No. 3983/F. No. 197/181/80-IT(AI)]

नई दिल्ली, 6 जून, 1981

का० आ० 2045.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री पद्मना स्वामी मन्दिर, त्रिवेन्द्रम" को निर्धारण वर्ष 1966-67 से 1981-82 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4011/फा०सं० 197/38/78-आ० क० (ए1)]

के० के० पाण्डे, अधर मन्त्रि

New Delhi, the 6th June, 1981

S.O. 2045.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sree Padmanabhaswamy Temple, Trivandrum" for the purpose of the said section for the period covered by the assessment years 1966-67 to 1981-82.

[No. 4011/F. No. 197/38/78-IT(AI)]

K. K. PANDEY, Under Secy.

नई दिल्ली, 29 जून, 1981

आयकर

का० आ० 2046.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) का अनुसरण करते हुए तथा भारत सरकार के राजस्व विभाग की दिनांक 7 जुलाई, 1980 की अधिसूचना संख्या 3526 (फा०सं० 398/1/80-आ० क० स० क०) का अधिलेखन करते हुए केन्द्रीय सरकार, एतद्द्वारा श्री पी० एच० वासवा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री पी० एच० वासवा द्वारा कर वसूली अधिकारी के पद का कार्यभार ग्रहण करने की तारीख से लागू होगी।

[सं० 4054/फा०सं० 398/21/81-आ० क० स० क०]

New Delhi, the 29th June, 1981

INCOME-TAX

S.O. 2046.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3526 (F. No. 398/1/80-ITCC) dated 7-7-1980, the Central Government hereby authorises Shri P. H. Vasava, being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri P. H. Vasava takes over charge as Tax Recovery Officer.

[No. 4054/F. No. 398/21/81-ITCC]

का० आ० 2047.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के राजस्व विभाग की दिनांक 25 जुलाई, 1979 की अधिसूचना संख्या 2949 (फा०सं० 404/141/(क० स० स०-राजकोट)/79 आ० क० स० क०) का अधिलेखन करते हुए केन्द्रीय सरकार, एतद्द्वारा श्री एम० जे० मकवाना को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री एम० जे० मकवाना द्वारा कर वसूली अधिकारी के पद का कार्यभार ग्रहण करने की तारीख से लागू होगी।

[सं० 4056/फा०सं० 398/21/81-आ० क० स० क०]

S.O. 2047.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3526 (F. No. 398/1/80-ITCC) dated 7-7-1980, the Central Government hereby authorises Shri J. Makwana, being a gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri M. J. Makwana takes over charge as Tax Recovery Officer.

with effect from the date Shri M. J. Makwana takes over charge as Tax Recovery Officer.

[No.]

[21/81-ITCC]

नई दिल्ली, 30 जून, 1981

आयकर

क्रा०भा० 2048.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) का अनुसरण करते हुए, केन्द्रीय सरकार एतद्वारा श्री आर० एस० सिंह को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री आर० एस० सिंह द्वारा कर वसूली अधिकारी का पदभार ग्रहण करने की तारीख से लागू होगी।

[सं० 4060/का०सं० 398/20/81-आ०क०सं०क०]

New Delhi, the 30th June, 1981

INCOME-TAX

S.O. 2048.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri R. S. Singh being a gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri R. S. Singh takes over charge as Tax Recovery Officer.

[No. 4060/F. No. 398/20/81-ITCC]

क्रा०भा० 2049.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) का अनुसरण करते हुए, तथा भारत सरकार के राजस्व विभाग की दिनांक 30 मई, 1980 की अधिसूचना सं० 3452 (का०सं० 398/17/80-आ०क०सं०क०) का अंश-लघन करते हुए केन्द्रीय सरकार एतद्वारा श्री आर० बी० भीकाजे को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री आर० बी० भीकाजे द्वारा कर वसूली अधिकारी का पदभार ग्रहण करने की तारीख से लागू होगी।

[सं० 4062/का०सं० 398/10/81-आ०क०सं०क०]

S.O. 2049.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3452 (F. No. 398/17/80-ITCC) dated 30-5-1980, the Central Government hereby authorises Shri R. B. Bhikaje being a gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri R. B. Bhikaje takes over charge as Tax Recovery Officer.

[No. 4062/F. No. 398/10/81-ITCC]

क्रा०भा० 2050.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) का अनुसरण करते हुए तथा भारत सरकार के राजस्व विभाग की दिनांक 18 अक्टूबर, 1978 की अधिसूचना सं० 2549 (का०सं० 404/25/78-आ०क०सं०क०) का अधिलक्षण करते हुए केन्द्रीय सरकार एतद्वारा श्री सी० आर० रंगास्वामी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री सी० आर० रंगास्वामी द्वारा कर वसूली अधिकारी का पदभार ग्रहण करने की तारीख से लागू होगी।

[सं० 4064/का०सं० 398/10/81-आ०क०सं०क०]

S.O. 2050.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 2549 (F. No. 404/25/78-ITCC) dated 18-10-1978, the Central Government hereby authorises Shri C. R. Rangaswamy, being a gazetted officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri C. R. Rangaswamy takes over charge as Tax Recovery Officer.

[No. 4064/F. No. 398/10/81-ITCC]

क्रा०भा० 2051.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) का अनुसरण करते हुए, केन्द्रीय सरकार, एतद्वारा भारत सरकार के राजस्व विभाग की दिनांक 3 मई, 1979 की अधिसूचना सं० 2799 (का०सं० 404/103-सी० क०सं०-अभूतनर/आ०क०सं०क०) में निम्नलिखित संशोधन करती है, अर्थात् "श्री एस० पी० मेहता और श्री ए० पी० कक्करिया" शब्दों और अक्षरों के स्थान पर "श्री ए० पी० कक्करिया" शब्द और अक्षर प्रतिस्थापित किए जायेंगे।

[सं० 4066/का०सं० 398/20/81-आ०क०सं०क०]

एच० वेंकटरामन, निदेशक

S.O. 2051.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby makes the following amendment in the notification of the Government of India in the Department of Revenue Notification No. 2799 (F. No. 404/103-TRO-ASR-79-ITCC) dated 3-5-1979; Namely for the words and letters "Shri S. P. Mehta and A. P. Kackria" words and letters "Shri A. P. Kachria" shall be substituted.

[No. 4066/F. No. 398/20/81-ITCC]

H. VENKATARAMAN, Director

(आर्थिक कार्य विभाग)

(वैयक्तिक प्रकाश)

नई दिल्ली, 13 जुलाई, 1981

क्रा०भा० 2052.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) अधिनियम, 1970 के खंड 3 के उपखंड (ख) के अनुसरण में केन्द्रीय सरकार एतद्वारा नीचे की सारणी के कालम (2) में उल्लिखित व्यक्तियों को उनमें से प्रत्येक के सामने उसी सारणी के कालम (3) में उल्लिखित व्यक्तियों के स्थान पर सारणी के कालम (1) में दिये गये राष्ट्रीयकृत बैंकों के निदेशक के रूप में नियुक्त करती है:—

सारणी

1	2	3
1. सेन्ट्रल बैंक आफ इंडिया	श्री एस० एस० ठाकुर, संयुक्त नियंत्रक, विनियम नियंत्रण विभाग, भारतीय रिजर्व बैंक, बम्बई-400023	डा० पी० डी० मोहा
2. केनरा बैंक	श्री एस० एन० बगई, प्रबन्धक, भारतीय रिजर्व बैंक, बंगलूर-560002	डा० एन० ए० मजूमदार

[संख्या एक० 9/9/81-बी०प्रो०-1]

क० व० मोरचानानी, उप-सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 13th July, 1981

S.O. 2052:—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints the persons specified in column (2) of the Table below as Directors of the nationalised banks specified in column (1) thereof in place of the persons specified in the corresponding entry in column (3) of the said Table :

TABLE

(1)	(2)	(3)
1. Central Bank of India	Shri S.S. Thakur, Joint Controller, Exchange Control Department, Reserve Bank of India Bombay-400023.	Dr. P.D. Ojha
2. Canara Bank	Shri S. N. Bagai, Manager, Reserve Bank of India, Bangalore-560002	Dr. N.A. Mujumdar

[No. F. 9/9/81-BO. I]

C.W. MIRCHANDANI, Dy. Secy.

नई दिल्ली, 18 जुलाई, 1981

का०आ० 2053. --भारत के राजपत्र के भाग II, खण्ड 3(ii) में प्रकाशित वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 4 अक्टूबर, 1980 की अधिसूचना संख्या 8(42)/80-ए०सी० में एतद्वारा आंशिक संशोधन किया जाता है, जिसे इस प्रकार पढ़ा जाये:—

संदर्भ	मूल पाठ	संशोधित पाठ
1. क्रम संख्या 15, कालम संख्या 4 (नई संख्या)	323/0	323/सी
2. क्रम संख्या 18, कालम संख्या 5 (अधिसूचना की तिथि)	38-7-67	28-7-67
3. क्रम संख्या 19, कालम संख्या 5 (अधिसूचना की तिथि)	26-7-63	26-7-67
4. सहकारी बैंक का नाम	मदुरई डिस्ट्रिक्ट को-ऑपरेटिव बैंक लि०	मदुरई डिस्ट्रिक्ट सेंट्रल को-ऑपरेटिव बैंक लिमिटेड

[संख्या 8-42/80-ए०सी०]

New Delhi, the 18th July, 1981

S.O. 2053.—The notification No. 8-42/80-AC dated the 4th October, 1980 of the Ministry of Finance, Department of Economic Affairs (Banking Division) Published in Part II, Section 3(ii) of the Gazette of India, in respect of Madurai District

Central Co-operative Bank Ltd., Madurai is hereby partially modified, to read as under :—

Reference	As appeared	As now modified
(i) Under Serial No. 6 column No. 5 (date of acquisition).	8-8-67	28-8-67
(ii) Name of the co-operative bank.	Madurai District Co-operative Bank Ltd.	Madurai District Central Co-operative Bank Ltd.

[No. 8-42/80-AC]

का०आ० 2054. —बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारतीय रिजर्व बैंक की सिफारिश पर केन्द्रीय सरकार एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबन्ध इस अधिसूचना के भारत के राजपत्र में प्रकाशित होने की तारीख से 1 मार्च, 1984 तक की अवधि के लिए महाराष्ट्र स्टेट को-ऑपरेटिव बैंक लि०, अम्बई पर वहाँ तक लागू नहीं होंगे जहाँ तक इनका संबंध इस बैंक द्वारा गैर-बैंकिंग अस्ति अर्थात् अमरावती सिटी के सबनपुरा, सक्कर साथ और नबावपुरा में 3 भवनों की धारिता से है।

[संख्या 8-13/81-ए०सी०]

S.O. 2054.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply to the Maharashtra State Co-operative Bank Ltd., Bombay so far as they relate to its holding of non-banking assets viz. 3 buildings at Sabanpura, Sakkar Sath and Nababpura localities of the Amravati city for the period from the date of publication of this notification in the Gazette of India to 1 March 1984.

[No. 8-13/81-AC]

का० आ० 2255.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारतीय रिजर्व बैंक की सिफारिश पर केन्द्रीय सरकार एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबन्ध इस अधिसूचना के भारत के राजपत्र में प्रकाशित होने की तारीख से 1 मार्च, 1984 तक की अवधि के लिए आन्ध्र प्रदेश स्टेट को-ऑपरेटिव बैंक लि०, हैदराबाद पर वहाँ तक लागू नहीं होंगे जहाँ तक इनका संबंध इस बैंक द्वारा हैदराबाद में पुतली बोल्ली में स्थित 3096 वर्गगज खुली जमीन की धारिता से है।

[संख्या 8(14)/81-ए०सी०]

इन्द्रानी सेन, धवर सचिव

S.O. 2055.—In exercise of the powers conferred by Section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply to the Andhra Pradesh State Co-operative Bank Ltd., Hyderabad so far as they relate to its holding an open land admeasuring 3096 sq. yards situated at Putli Bowli in Hyderabad for the period from the date of publication of this notification in the Gazette of India to 1 March 1984.

[No. 8(14)/81-AC]

INDRANI SEN, Under Secy.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 1 अगस्त, 1981

का०आ० 2056 :—भारत के निर्यात व्यापार के विकास के लिए वैक्यूम फ्लास्क से संबंधित भारत सरकार के भूतपूर्व वाणिज्य मंत्रालय की अधिसूचना संख्या का०आ० 1616 तारीख 7 मई, 1968 का संशोधन करने के लिए कृतिपय प्रस्ताव निर्यात (स्वालिटी नियंत्रण और निरीक्षण) नियम, 1964, के नियम 11 के उप-नियम (2) की अपेक्षानुसार, भारत सरकार के वाणिज्य और नागरिक पूर्ति मंत्रालय (वाणिज्य विभाग) की अधिसूचना सं० का०आ० 2212, तारीख 6 मितम्बर, 1980 के अधीन भारत के राजपत्र भाग II खंड 3, उपखंड (ii) तारीख 6 मितम्बर, 1980 के पृष्ठ संख्या 3021-22 पर प्रकाशित किए गए थे;

और उससे प्रभावित होने वाले सभी व्यक्तियों से आक्षेप और सुझाव 4 नवम्बर, 1980 तक मांगे गए थे;

और उक्त राजपत्र जनता को 20 मितम्बर, 1980 को उपलब्ध करा दिया गया था;

अतः अब, केन्द्रीय सरकार की निर्यात (स्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्यात निरीक्षण परिषद् से परामर्श करने के पश्चात् यह राय होने पर कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक और समीचीन है, वह भारत के भूतपूर्व वाणिज्य मंत्रालय की अधिसूचना सं० का०आ० 1616, तारीख 7 मई, 1968 का निम्नलिखित संशोधन करती है, अर्थात् :—

अधिसूचना सं० का०आ० 1616, तारीख 7 मई, 1968 के उपाखण्ड में "क" रिफिलों के लिए विनिर्देश शीर्षक के अन्तर्गत स्तम्भ 6 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

"ऊष्मा धारण क्षमता का निम्न रूप में परीक्षण किया जाएगा :—

95° से० ग्रे० पर गर्म किए हुए जल का तापमान, जब वह नीचे विनिर्दिष्ट रीति से रिफिल में रखा जाएगा तो नीचे निर्देशित से कम नहीं होगा :—

रिफिल का प्रकार	प्राप्त तापमान कम नहीं होगा		पांच घंटों के पश्चात् परीक्षण के स्तम्भ (2) से हर तीसरा
	एक घंटे के परीक्षण के पश्चात्	चौबिस घंटों के परीक्षण के पश्चात्	

1	2	3	4
(1) 1/2 लिटर से अल्पतः अधिक धारिता का संकीर्ण मुँह (आंतरिक मुँह का व्यास 45 मि० मीटर तक होगा)	91° से० ग्रे०	50° से० ग्रे०	78° से० ग्रे०
(2) 1/2 लिटर तथा अधिक अधिक धारिता का चौड़ा मुँह (आंतरिक मुँह का व्यास 45 मि० मीटर से अधिक होगा)	85° से० ग्रे०	42° से० ग्रे०	70° से० ग्रे०
(3) 250 मि० लि० अधिकतम धारिता (आंतरिक मुँह का व्यास 30 मि० मीटर तक होगा)	88° से० ग्रे०	40° से० ग्रे०	70° से० ग्रे०

1	2	3	4
(4) 250 मि० लि० अधिकतम धारिता (आंतरिक मुँह का व्यास 30 मि० मीटर से अधिक किन्तु 45 मि० मीटर से कम होगा)	85° से० ग्रे०	38° से० ग्रे०	68° से० ग्रे०
(5) अन्य प्रकार के रिफिल जो निर्यातकर्ता द्वारा घोषित के अनुसार गिलास, बर्तन के कटोरे आदि के रूप में प्रयोग के लिए अर्थात् है।			

प्रक्रिया :—उबलते हुए जल में रिफिल भंगालें, जहाँ तक संभव हो अधिक से अधिक जल निकाल लें और शीघ्र ही 95° से० ग्रे० पर उबलता जल इसके गले तक भर दें, षट से मुह बन्द कर दें और समय नोट कर लें।"

[सं० 6(29)/79—नि०नि० तथा नि०उ०]

सी० बी० कुकरेती, संयुक्त निदेशक

MINISTRY OF COMMERCE

ORDER

New Delhi, the 1st August, 1981

S.O. 2056.—Whereas for the development of export trade of India certain proposals for amending the notification of the Government of India in the late Ministry of Commerce No. S.O. 1616 dated the 7th May, 1968 relating to vacuum flasks were published as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964, at pages 3021-3022 of the Gazette of India Part II—Section 3, Sub-section (ii) dated the 6th September, 1980 under the notification of the Government of India in the Ministry of Commerce and Civil Supplies (Department of Commerce) S.O. 2212 dated 6th September, 1980;

And whereas objections and suggestions were invited till 4th November, 1980 from all persons likely to be affected thereby;

And whereas the said Gazette was made available to the public on the 20th September, 1980;

Now, therefore, in exercise of the powers conferred by Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government after consulting the Export Inspection Council, being of the opinion that it is necessary and expedient so to do for the development of the export trade of India, hereby makes the following amendments to the notification of the Government of India in the late Ministry of Commerce No. S.O. 1616 dated the 7th May, 1968, namely :—

In the Annexure to the notification No. S.O. 1616 dated 7th May, 1968, under the heading "A Specifications for refills" for clause 6, the following shall be substituted, namely:

"The heat retention capacity shall be tested as follows :—

The temperature of water heated to 95°C and when kept in refills in the manner specified below shall not be less than those indicated below:

Types of refills	Temperature attained not less than		After five hours test alternative to column (2)
	After one hour test	After 24 hours test	
1	2	3	4
1 Narrow mouth of nominal capacity no less than 1/2 litre (internal mouth diameter upto 45 mm)	91°C	50°C	78°C

1	2	3	4
(2) Wide mouth of nominal capacity 1/2 litre and above (internal mouth diameter above 45 mm)	85°C	42°C	70°C
(3) 250 ml. nominal capacity (internal mouth diameter upto 30 mm)	88°C	40°C	70°C
(4) 250 ml. nominal capacity (internal mouth diameter above 30 mm but below 45 mm)	85°C	38°C	68°C
(5) Other types of refills meant for use as tumblers, ice bowls etc.	As declared by the exporters.		

Procedure :— Rinse the refills with boiling water, draining out as much of water as possible. Quickly fill it upto the neck with water at 95°C, close the mouth with the stopper and note the time."

Foot note :—

The principal notification S.O. 1616 dated 7th May, 1968 has been amended vide— i) S.O. 169 dated 10 January, 1969; and (ii) S.O. 1643 dated 17 April, 1971.

[No. 6(29)/79EI&EP]

C. B. KUKRETI, Joint Director

संयुक्त मुख्य नियंत्रण आयात तथा निर्यात का कार्यालय

आवेश

मद्रास, 9 जुलाई, 1981

कां.आ. 2057 :—संबंधी सरवणा पालिपेक्स, 15ए, पेरियल आग्र-गारम रोड, वीरप्पनोचट्रम, इरोड-638004 को रुपये 1,04,040 तक केवल पालिप्रोपिलीन बागस तथा ट्यूब निर्माण के लिए, 15 मेट्रीक टन का पालिप्रोपिलीन आयात करने आयात लाइसेंस संख्या पी०एस० 1934994-सी०-एक्स०एक्स०-78-एम०-80 दिनांक 27-3-81 जारी किया गया था। उपर्युक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रति खो जाने के कारण, उसकी अनुलिपि प्रति जारी करने के लिए लाइसेंसधारी ने आवेदन किया है। आवेदक ने यह भी कहा है कि लाइसेंस की किसी भी सीमाशुल्क प्राधिकारी से पंजीकृत नहीं किया गया है और उसका उपयोग भी नहीं कर लिया है। अब लाइसेंस की पूरा मूल्य

रुपये 1,04,040 के लिए अनुलिपि प्रति जारी करने के लिए आवेदन किया गया है।

(2) अपने तर्कों के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी इस बात में सन्तुष्ट है कि लाइसेंस संख्या पी०एस० 1934994-सी०-एक्स०एक्स०-78-एम०-80 दिनांक 27-3-1981 की मुद्रा विनियम नियंत्रण की मूल प्रति खो दी गयी है और आवेदन देता है कि उपरोक्त लाइसेंस की मुद्रा विनियम नियंत्रण की अनुलिपि प्रति पूरा मूल्य के लिए आवेदक को जारी की जाये। मुद्रा विनियम नियंत्रण की मूल प्रति एतद्वारा रद्द की जाती है।

मुद्रा विनियम प्रति की अनुलिपि प्रति संख्या बी० 2464809 दिनांक 7-7-1981 अलग जारी की जाती है।

[सं० प्लास्टिक/915 ए०एम०/81-एयू-3]

एम० नरसिम्हन,

उप मुख्य नियंत्रण आयात तथा निर्यात

Office of the Joint Chief Controller of Imports and Exports

ORDER

Madras, the 9th July, 1981

S.O. 2057.—Sree Saravana Polypacks, 15A Perial Agraharam Road, Veerappanochatram Erode-638004 were granted Licence No. P/S/1934994-C-XX-78-M-80 dated 27-3-1981 for Rs. 1,04,040 for the import of 15 M. Tons of Polypropylene for the manufacture of Polypropylene Bags and tubes only. They have requested for the issue of duplicate copy of Exchange Control Copy of the above licence which has been lost. It has been further reported by the licensee that the licence has not been registered with any Customs authority and not utilised at all. The duplicate now required is to cover the full value of Rs. 1,04,040.

2. In support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the original Exchange copy of the licence No. P/S/1934994-C-a duplicate Exchange copy of the said licence should be XX-78-M-80 dated 27-3-1981 has been lost and directed that a duplicate Exchange copy of the said licence should be issued to them for the full value. The original Exchange copy of the licence is hereby cancelled.

3. A duplicate Exchange copy of the licence No. D-2464809 dated 7-7-1981 is being issued separately.

[No. Plastic/915/AM-81/AU. III]

S. NARASIMHAN, Dy. Chief Controller of Imports and Exports

नागरिक प्रति मन्त्रालय

भारतीय मानक संस्था

नई दिल्ली, 1981-07-08

कां० आ० 2058 : समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिटून) विनियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि जिस भारतीय मानक के ग्योरे नीचे अनुसूची में दिये गये हैं वह रद्द कर दिया गया है और वापस ले लिया गया है :

अनुसूची

क्रम संख्या रद्द किये गये भारतीय मानक की संख्या और शीर्षक	भारत के राजपत्र के एस० प्रो०सं० तथा तिथि जिसमें भारतीय मानक के निर्धारण की अधिसूचना छपी थी	विवरण
1. IS : 1782-1961 रंगीन (ऊपर तामा वाली साटन, सूती अस्तर देने के कपड़े की बिजिप्ति	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1961-08-12 में एस प्रो 1893 दिनांक 1961-08-02 के अधीन प्रकाशित	IS : 1535-1979 सूती अस्तर देने के कपड़े की बिजिप्ति (पहला पुनरीक्षण) के प्रकाशित हो जाने के फलस्वरूप रद्द हो गया है।

[संख्या सं.एस/डी/13 : 7]

MINISTRY OF CIVIL SUPPLIES
INDIAN STANDARDS INSTITUTION
 New Delhi, the 1981-07-08

S.O. 2058 —In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standards, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn :

SCHEDULE

Sl. No. & Title of the Indian Standard No. Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was notified	Remarks
(1)	(2)	(3)
1. IS : 1782—1961 Specification for cotton lining cloth (warp faced sarin) dyed	S.O. 1893 dated 1961-08-02 published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated 1961-08-12	Consequent upon the publication of IS : 1535—1979 Specification for cotton lining cloth (first revision)

[No. CMD/13 : 7]

क्र० भा० 2059 :—समय समय पर सशोधित भारतीय मानक समिती (प्रमाणन जिह्म) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि जिन भारतीय मानकों के अन्तर्गत नीचे अनुसूची में दिये गये हैं, वे अब रद्द कर दिये गये हैं और वापस ले लिये गये हैं :

अनुसूची

क्रम सं०	रद्द किये गये भारतीय मानक की संख्या और शीर्षक	भारत के राजपत्र के एस ओ संख्या तथा तारीख जिसके अधीन भारतीय मानकों के निर्धारण की सूचना छपी थी	कैफियत
(1)	(2)	(3)	(4)
1.	IS : 141—1950 धारकों पर बाह्य रंग करने के लिये पेट्रोल प्रतिरोधी वायु शुष्क स्प्रे किया जाने वाला बांछित तैयार मिश्रित रंग रोगन की विशिष्टि	भारत के राजपत्र भाग II, खंड 3, उपखंड (ii) दिनांक 1955-03-26 में एस ओ 658 दिनांक 1955-03-26 के अधीन प्रकाशित	IS : 141—1950 में दी गई अपेक्षाएं अब IS : 140—1980 पेट्रोल प्रतिरोधी वायु शुष्क बाह्य लगाने के तैयार मिश्रित रंग रोगन की विशिष्टि (पहला पुनरीक्षण) में शामिल कर ली गई हैं।
2.	IS : 143—1950 धारकों पर बाह्य रंग करने के लिये पेट्रोल प्रतिरोधी स्टोव विधि द्वारा स्प्रे करने के तैयार मिश्रित रंग रोगन की विशिष्टि	भारत के राजपत्र भाग II, खंड 3, उपखंड (ii) दिनांक 1955-03-26 में एस ओ 658 दिनांक 1955-03-26 के अधीन प्रकाशित	IS : 143—1950 में दी गई अपेक्षाएं अब IS : 142—1980 बाह्य रंग करने के लिये पेट्रोल प्रतिरोधी स्टोव विधि द्वारा स्प्रे करने वाले तैयार मिश्रित रंग रोगन की विशिष्टि (पहला पुनरीक्षण) में शामिल कर ली गई हैं।

[सं० सी एस डी/13 : 7]

S.O. 2059 . — In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standards, particulars of which are mentioned in the Schedule given hereafter, have been cancelled and stands withdrawn :

SCHEDULE

S. No. & Title of the Indian Standard No. Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 141—1950 Specification for ready mixed paint, spraying, petrol resisting, air drying, for exterior painting of containers, colours as required	S.R.O. 658 dated 1955-03-26 published in the Gazette of India, Part-II, Section-3 Sub section (ii) dated 1955-03-26	As the requirements of IS : 141—1950 have been incorporated in IS : 140—1980 Specification for ready mixed paints exterior, petrol resisting air drying (first revision)
2. IS : 143—1950 Specification for ready mixed paint, spraying, petrol resisting, stoving for exterior painting of containers, colour as required	S.R.O. 658 dated 1955-03-26 published in the Gazette of India, Part-II, Section-3 Sub-section (ii) dated 1955-03-26	As the requirements of IS : 143—1950 have been incorporated in IS : 142—1980 Specification for ready mixed paint, exterior, petrol resisting, stoving (first revision)

[No. CMD/13 : 7]

का० आ० 2060 :—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि जिस भारतीय मानक के व्योरे नीचे अनुसूची में दिये गये हैं, वह रद्द कर दिया गया है और वापस ले लिया गया है।

अनुसूची

क्रम सं०	रद्द किये गये भारतीय मानक की संख्या और श्रेणी	भारत के राजपत्र के पृष्ठ आं सख्या तथा तारीख जिसके अधीन भारतीय मानकों के निर्धारण की सूचना छपी थी	विवरण
(1)	(2)	(3)	(4)
1.	IS : 6245-1971 सादे प्लग मापक के मापक ध्रुव नो गो ध्रुव साइज पराम (30 से 100 मि० मी०) की विशिष्टि	भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1973-09-29 में एसओ 2802 दिनांक 1973-09-13 के अधीन प्रकाशित	क्योंकि IS : 6245-1961 में दी गई प्रवेशार्थे अब IS : 6244-1980 सादे प्लग मापक के मापक, "गो" और नो गो ध्रुव, साइज पराम (40 से 120 मिमी) की विशिष्टि (पहला पुनरीक्षण) में शामिल कर ली गई है।

[संख्या सी एस डी/13 : 7]

S.O. 2060—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standards, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn :

SCHEDULE

Sl. No. & Title of the Indian Standard No. Cancelled	S. O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was notified	Remarks
(1)	(2)	(3)
1. IS : 6245-1971 Specification for gauging members for plain plug gauges 'NO GO' member (size range 30 to 100 mm)	S.O. 2802 dated 1973-09-13 published in the Gazette of India, Part II, Section-3 Sub-section (ii) dated 1973-09-29	As the requirement of IS : 6245-1971 have been covered in IS : 6244-1980 Specification for gauging members for plain plug gauges 'GO' and 'NO GO' members (size range 40 to 120 mm) (first revision)

[No. CMD/13 : 7]

का० आ० 2061 :—भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 4 के उपविनियम (1) के अनुसार भारतीय मानक संस्था की ओर से अधिसूचित किया जाता है कि जिस मानक चिह्न की डिजाइन उसके शाब्दिक विवरण तथा तत्सम्बन्धी भारतीय मानक के शीर्षक सहित नीचे अनुसूची में दी गई है वह भारतीय मानक संस्था द्वारा निर्धारित किया गया है।

भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम, 1952 और उसके अधीन बने नियमों और विनियमों के निमित्त यह मानक चिह्न 1980-03-16 से लागू होगा।

अनुसूची

क्रम सं०	मानक चिह्न की डिजाइन	उत्पाद/उत्पाद की श्रेणी	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	मानक चिह्न के डिजाइन का शाब्दिक विवरण
(1)	(2)	(3)	(4)	(5)
1.	IS: 3424	स्टेनलेस इस्पत के भोजन के बर्तन उपयोगिता श्रेष्ठ	IS : 3424-1966 स्टेनलेस इस्पत के भोजन के बर्तनों की विशिष्टि	भारतीय मानक संस्था का मोनोग्राम जिसमें "ISI" शब्द होते हैं स्पष्ट (2) में दिखाई गई पैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है मोनोग्राम के ऊपर की ओर भारतीय मानक की संख्या दी गई है।




[संख्या सीएसडी/13 : 9]

S.O. 2061—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution, hereby, notifies that the Standard Mark design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1980-03-16 :

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1. IS : 3424		Stainless steel table utensils, utility grade	IS : 3424—1966 Specification for stainless steel table utensils	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2) the number of the Indian Standard being superscribed in the top side of the monogram as indicated in the design.

[No. CMD/13 : 9]

क्रा० आ० 2062 :—भारत के राजपत्र II, खंड-3 उपखंड (ii) दिनांक 1979-06-16 में प्रकाशित मत्कालीन वाणिज्य, नागरिक वृत्ति एवं सहकारिता मंत्रालय (नागरिक वृत्ति एवं सहकारिता विभाग) (भारतीय मानक संस्था) अधिसूचना संख्या एस ओ 2063 दिनांक 1979-05-30 का आंशिक रूप से संशोधन करते हुए भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि उच्च गति वाले औजारों के हस्तातों की प्रति इकाई मुहर लगाने की दरों में कुछ संशोधन किया गया है। मुहर लगाने की ये संशोधित दरें जिनके ब्यौरे नीचे अनुसूची में दिये गये हैं, 1981-03-01 से लागू होंगी।

क्रम सं०	उत्पाद/उत्पादों की श्रेणी	सम्बन्धी भारतीय मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की कीमत
(1)	(2)	(3)	(4)	(5)
1.	उच्च गति वाले औजारों के लिये हस्तात	IS : 7291—1974 उच्च गति वाले औजारों के लिये हस्तातों की विनिर्दिष्ट	एक मीटरी टन	1. रु० 50.00 प्रति इकाई पहली 100 इकाइयों के लिये, 2. रु० 30.00 प्रति इकाई 100 से 200 तक की इकाइयों के लिये 3. रु० 10.00 प्रति इकाई 201वीं इकाई और इसके ऊपर की इकाइयों के लिये।

[संख्या सीएमडी/13 : 10]

S.O. 2062.—In partial modification of the then Ministry of Commerce, Civil Supplies and Co-operation (Department of Civil Supplies & Co-operation Indian Standards Institution) notification number S.O. 2063 dated 1979-05-30, published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1979-06-16, the Indian Standards Institution, hereby notifies that the rate of marking fee per unit for high speed tool steels has been revised. The revised rate of marking fee, details of which are mentioned in the Schedule given hereafter, shall come into force with effect from 1980-03-01 :

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	High speed tool steels	IS : 7291—1974 Specification for high speed tool steels	One Tonne	(i) Rs. 50.00 per unit for the first 100 units (ii) Rs. 30.00 per unit for the 100 to 200 units and (iii) Rs. 10.00 per unit for the 201st Unit and above.

का० आ० 2063 :—भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि स्टेनलेस इस्पात के भोजन के बर्तनों के प्रति इकाई मुहर लगाने की फीस नीचे अनुसूची में दिये गये ब्यौरे के अनुसार निर्धारित की गई है और यह फीस 1980-03-16 से लागू होगी :

अनुसूची

क्रम सं०	उत्पाद/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की पत्र संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1.	स्टेनलेस इस्पात के भोजन के बर्तन, उपयोगिता ग्रेड	IS : 3424-1966 स्टेनलेस इस्पात के भोजन के बर्तनों की विनिर्दिष्ट	100 कि० ग्रा०	रु० 1.50

[संख्या सीएमडी/13 : 10]

S.O. 2063.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee per unit for stainless steel table utensils details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1980-03-16 :

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	Stainless steel table utensils, utility grade	IS : 3424-1966 Specification for stainless steel table utensils	100 Kg.	Rs. 1.50

[No. CMD/13 : 10]

नई दिल्ली, 1981-07-15

का० आ० : 2064 :—भारतीय मानक संस्था (प्रमाणन मुहर) नियम और विनियम, 1955 के नियम 3 के उपनियम (2) और विनियम 3 के उपविनियम (2) और (3) के अधीन भारतीय मानक संस्था एतद्वारा अधिसूचित किया जाता है कि जिन भारतीय मानकों के ब्यौरे नीचे अनुसूची में दिये गये हैं वे दिनांक 1978-11-30 को स्थापित किये गये :—

अनुसूची

क्रम संख्या	निर्धारित भारतीय मानक की संख्या और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक या मानकों की संख्या और शीर्षक, यदि कोई हो।	कैफियत
(1)	(2)	(3)	(4)
1.	IS : 340-1978 जॉन्स मिलाने की विनिर्दिष्ट (पहला पुनरीक्षण)	IS : 340-1952 जॉन्स मिलाने की विनिर्दिष्ट	—
2.	IS : 380-1978 फेंच चाक, तकनीकी की विनिर्दिष्ट (दूसरा पुनरीक्षण)	IS : 380-1967 फेंच चाक, तकनीकी की विनिर्दिष्ट (पहला पुनरीक्षण)	—
3.	IS : 593-1978 थाल संसाधन के लिए नमक की विनिर्दिष्ट (नम स्थितियों में नमक लगाना) (दूसरा पुनरीक्षण)	IS : 593-1964 सौल संसाधन के लिए नमक की विनिर्दिष्ट (नम स्थितियों में नमक लगाना) (पुनरीक्षण)	—
4.	IS : 779-1978 पानी के मोटरों की विनिर्दिष्ट (पांचवां पुनरीक्षण)	IS : 779-1978 पानी के मोटरों की विनिर्दिष्ट (घरेलू) (चौथा पुनरीक्षण)	1978-10-31 को स्थापित भा मा संस्था प्रमाणन मुहर योजना के लिये IS : 779-1978 दिनांक 1979-05-01 से लागू होगा।
5.	IS : 1486-1978 ताँबे आक्सीक्लोराइड, तकनीकी की विनिर्दिष्ट (दूसरा पुनरीक्षण)	IS : 1486-1969 ताँबे आक्सीक्लोराइड, तकनीकी की विनिर्दिष्ट (पहला पुनरीक्षण)	भा मा संस्था प्रमाणन मुहर योजना के लिये IS : 1486-1978 दिनांक 1978-05-01 से लागू होगा।

(1)	(2)	(3)	(4)
6. IS : 1654—1978 लैड गंटीमनी मिश्र धातुओं की विशिष्ट (दूसरा पुनरीक्षण)	IS : 1654—1966 गंटीमोनियल लैड की विशिष्ट (पहला पुनरीक्षण)	—	
7. *IS : 1975—1978 गढ़ी वस्तुओं के लिये कार्यन इस्पात के बिलेट, ब्लूम, पट्टियों और सरियों की विशिष्ट (चौथा पुनरीक्षण)	IS : 1875—1971 गढ़ी वस्तुओं के लिये कार्यन इस्पात के बिलेट, ब्लूम, पट्टियों और सरियों की विशिष्ट (तीसरा पुनरीक्षण)	*भा मा संस्था प्रमाणन मुहर योजना के लिये IS : 1875—1978 दिनांक 1979-04-01 से लागू होगा।	
8. *IS : 2175—1977 स्वचालित अतिन एलाम संक्षो के लिये ऊष्मा संवेध अतिन संयोजकों की विशिष्ट (पहला पुनरीक्षण)	IS : 2175—1962 ऊष्मा संवेध अतिन संयोजकों की विशिष्ट	1978-08-31 को स्थापित *भा मा संस्था प्रमाणन मुहर योजना के लिये IS : 2175—1977 दिनांक 1979-06-01 से लागू होगा।	
9. *IS : 2209—1976 माटिस तारों की विशिष्ट (उद्यम किस्म के) (नौवां पुनरीक्षण)	IS : 2209—1970 माटिस तारों की विशिष्ट (उद्यम किस्म के) (दूसरा पुनरीक्षण)	1977-03-31 को स्थापित भा मा संस्था प्रमाणन मुहर योजना के लिये IS : 2209—1976 दिनांक 1979-06-01 लागू होगा।	
10. IS : 2499—1978 मक्खन स्तुवा की विशिष्ट (पहला पुनरीक्षण)	IS : 2499—1963 मक्खन स्तुवा की विशिष्ट	—	
11. IS : 3400 (भाग 4)—1978 बल्कनीकृत रबड़ की परीक्षण पद्धतियां भाग 4—स्वरित एजिंग (पहला पुनरीक्षण)	IS : 3400 (भाग 4)—1965 बल्कनीकृत रबड़ की परीक्षण पद्धतियां भाग 4 स्वरित एजिंग	—	
12. IS : 3400 (भाग 9)—1978 बल्कनीकृत रबड़ की परीक्षण पद्धतियां भाग 9 अनरब धनत्व और धनत्व (पहला पुनरीक्षण)	IS : 3400 (भाग 9)—1967 बल्कनीकृत रबड़ की परीक्षण पद्धतियां भाग 9 आपेक्षिक धनत्व और धनत्व	—	
13. IS : 4099—1978 सामान्य लेखन कार्यों के पेन होल्डरों की विशिष्ट (पहला पुनरीक्षण)	IS : 4099—1967 सामान्य लेखन कार्यों के लिए पेन होल्डरों के निबों की विशिष्ट	—	
14. *IS : 4174—1977 टाइपराइटर के सूती रिबनों की विशिष्ट (पहला पुनरीक्षण)	IS : 4174—1967 टाइपराइटर के रिबन की विशिष्ट	1978.07.31 को स्थापित *भा मा संस्था प्रमाणन मुहर योजना के लिए IS : 4174—1977 दिनांक 1979-01-01 से लागू होगा।	
15. IS : 4622—1978 पहिया जड़े गेट की संरचनात्मक डिजाइन की शिफारिशें (पहला पुनरीक्षण)	IS : 4622—1967 पहिया जड़े गेट की संरचनात्मक डिजाइन की शिफारिशें	—	
16. IS : 5149—1977 मौलिक सनहाइड्राइड, तकनीकी की विशिष्ट (पहला पुनरीक्षण)	IS : 5149—1969 मौलिक एन हाइड्राइड, तकनीकी की विशिष्ट	—	
17. IS : 5475 (भाग I)—1978 पालीस्टाइटीन फिल्म डाइलेक्ट्रिक कैपेसिटर्स की विशिष्ट भाग I सामान्य अपेक्षाएं और परीक्षण पद्धतियां (पहला पुनरीक्षण)	IS : 5475—1969 पालीस्टाइटीन फिल्म डाइलेक्ट्रिक कैपेसिटर्स की विशिष्ट	—	
18. IS : 6384 (भाग I)—1978 प्रयोगशाला जंतुओं की देखभाल, प्रबंध और आवास की संहिता भाग I प्रयोगशाला के लिए बंदर (पहला पुनरीक्षण)	IS : 6384 (भाग I)—1971 प्रयोगशाला जंतुओं की देखभाल, प्रबंध और आवास की संहिता भाग I प्रयोगशाला के लिए बंदर	—	
19. IS : 8790 (भाग II)—1978 खतरनाक क्षेत्रों में काम करने वाले शक्ति चालित ट्रकों की सामान्य अपेक्षाएं, भाग 2—विद्युत-चैटरी-शक्तिचालित औद्योगिक ट्रक	—	—	
20. IS : 8822—1978 खांखदार कु कुयमुना टोपी वाले काबलों की विशिष्ट	—	—	

(1)	(2)	(3)	(4)
21. IS : 8843—1978 टरबाइन गिजरीं की परिशुद्धता की अपेक्षाएं	—	—	
22. IS : 8849—1978 ईंधन बहन औद्योगिक घटियों संबंधी शब्दावली	—	—	
23. IS : 8850—1978 वंश सामग्रियों के इस्तेमाल की निदेशिका	—	—	
24. IS : 8853—1978 रिट्रेक्टर, चोक की विशिष्टता	—	—	
25. IS : 8854—1978 रिट्रेक्टर, शेतीनुमा विशिष्ट	—	—	
26. IS : 8855—1978 रिट्रेक्टर लैंगनबेकनुमा की विशिष्ट	—	—	
27. IS : 8862—1978 रबर उद्योग के लिए टिटैनियम डाइऑक्साइड ऐनाटेज नुमा) की विशिष्ट	—	—	
28. IS : 8865—1978 कोको फलियों की विशिष्ट	—	—	
29. IS : 8871—1978 धातु नूतों का टैप घनत्व ज्ञात करने की पद्धति	—	—	
30. IS : 8875—1978 सारे कैलिको करवा के लिए झड़ने वाले टैपेट की विशिष्ट	—	—	
31. IS : 8876—1978 टेंसटन धातु नूतों के स्वीकरीकरण में अवशेष ज्ञात करने की पद्धति	—	—	
32. IS : 8882—1978 तेल निकालने के लिए जाकन बीजों की श्रेष्ठता	—	—	
33. IS : 8888—1978 निम्न आय आवासों की अपेक्षाओं की निदेशिका	—	—	
34. IS : 8894—1978 बिसफवा बंधनों के लिए सूती टैपो की विशिष्ट	—	—	
35. IS : 8895—1988 बूझड़ाना सह-उत्पादों के रखने-उठाने, भंडारण और परिवहन की निदेशिका	—	—	
36. IS : 8896—1978 नाहोर गैस की विशिष्ट	—	—	
37. IS : 8906—1978 पर्वतारोहण रोहण के लिए बर्फ काटने की कुल्हाड़ी और हथौड़ा की विशिष्ट	—	—	
38. IS : 8908—1978 पर्वतारोहण के लिए स्नो स्टोक की विशिष्ट	—	—	
39. IS : 8944—1978 स्लोरोपाइरीफास पायसमीय सांद्र की विशिष्ट	—	—	

इन मानकों की प्रतियां भारतीय मानक संस्था, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002 तथा ग्रहमवाबाद, बंगलोर, भोपाल, पुणे, बम्बई, कलकत्ता, चंडीगढ़, हैदराबाद, जयपुर, कामपुर, मद्रास, पटना और त्रिवेंद्रम स्थित हमारे शाखा कार्यालयों से प्राप्त की जा सकती है।

[सं० सी० एम० पी/13:2]

ए० पी० बनर्जी, अपर महानिदेशक

New Delhi, the 1981-07-15

S.O. 2064—In pursuance of sub-rule (2) of Rule 3 and Sub-regulations (2) and (3) of Regulation 3 of Indian Standards Institution (Certification Marks) Rules and Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s) particulars of which are given in the Schedule hereto annexed, have been established on 1978-11-30

SCHEDULE

Sl. No. and Title of the Indian Standards No. Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Remarks, if any
(1)	(2)	(3)
1. IS : 340—1978 Specification for varnish, mixing (first revision)	IS : 340—1952 Specification for varnish, mixing	—
2. IS : 380—1978 Specification for french chalk, technical (Second Revision)	IS : 380—1967 Specification for french chalk, technical (first revision)	—
3. IS : 593—1978 Specification for salt for hide-curing (wet salting) (Second Revision)	IS : 593—1964 Specification for salt for hide-curing (wet salting) (revised)	—
4. *IS : 779—1978 Specification for water meters (domestic type) (fifth revision)	IS : 779—1968 Specification for water meters (domestic type) (fourth revision)	Established on 1978-10-31 *For purposes of ISI Certification Marks Scheme; IS : 779—1978 shall come into force with effect from 1979-05-01
5. *IS : 1486—1978 Specification for copper oxychloride, technical (second revision)	IS : 1486—1969 Specification for copper oxychloride, technical (first revision)	*For purposes of ISI Certification Marks Scheme; IS : 1486—1978 shall come into force with effect from 1979-05-01
6. IS : 1654—1978 Specification for lead-antimony alloys. (second revision)	IS : 1654—1966 Specification for antimonial lead (first revision)	—
7. *IS : 1875—1978 Specification for carbon steel billets, blooms, slabs and bars for forgings (Fourth Revision)	IS : 1875—1971 Specification for carbon steel billets, blooms, slabs and bars for forgings (Third revision)	*For purposes of ISI Certification Marks Scheme; IS : 1875—1978 shall come into force with effect from 1979-04-01
8. *IS : 2175—1977 Specification for heat sensitive fire detectors for use in automatic electrical fire alarm system (First Revision)	IS : 2175—1962 Specification for heat sensitive fire detectors	Established on 1978-08-31 *For purposes of ISI Certification Marks Scheme; IS : 2175—1977 shall come into force with effect from 1979-05-01
9. *IS : 2209—1976 Specification for mortice locks (Vertical type) (Third Revision)	IS : 2209—1970 Specification for mortice locks (vertical type) (second revision)	Established on 1977-03-31 *For purposes of ISI Certification Marks Scheme; IS : 2209—1976 shall come into force with effect from 1979-06-01
10. IS : 2499—1978 Specification for butter scotch-hand (First Revision)	IS : 2499—1963 Specification for butter scotch-hand	—
11. IS : 3400 (Part IV) —1978 Methods of test for vulcanized rubbers Part IV Accelerated ageing (first revision)	IS : 3400 (Part IV) —1965 Methods of test for vulcanized rubbers Part IV Accelerated ageing	—
12. IS : 3400 (Part IX) —1978 Methods of test for vulcanized rubbers Part IX Density (first revision)	IS : 3400 (Part IX) —1967 Methods of test for vulcanized rubbers Part IX Relative Density and density	—
13. IS : 4099—1978 Specification for penholders for general writing purposes (first revision)	IS : 4099—1967 Specification for nibs for penholders for general writing purposes	—

(1)	(2)	(3)	(4)
14. *IS : 4174—1977 Specification for typewriter ribbons, cotton (first revision)	IS : 4174—1967 Specification for typewriter ribbon	Established on 1978-07-31 *For purposes of ISI Certification Mark Scheme; IS : 4174—1977 shall come into force with effect from 1979-01-01	
15. IS : 4622—1978 Recommendations for structural design of fixed-wheel gates (First Revision)	IS : 4622—1967 Recommendations for structural design of fixed wheel gates	—	
16. IS : 5149—1977 Specification for maleic anhydride, technical (first revision)	IS : 5149—1969 Specification for maleic anhydride, technical	—	
17. IS : 5475 (Part I)—1978 Specification for polystyrene film dielectric capacitors Part I General requirements and methods of tests (first revision)	IS : 5475—1969 Specification for polystyrene film dielectric capacitors	—	
18. IS : 6384 (Part I)—1978 Code for care, management and housing of laboratory animals Part I Laboratory monkeys (first revision)	IS : 6384 (Part I)—1971 Code for care, management and housing of laboratory animals Part I Laboratory monkeys	—	
19. IS : 8790 (Part II)—1978 General requirements of powered industrial trucks working in hazardous areas Part II Electric-battery-powered industrial trucks	—	—	
20. IS : 8822—1978 Specification for slotted mushroom head roofing bolts	—	—	
21. IS : 8843—1978 Accuracy requirements for turbine gears	—	—	
22. IS : 8849—1978 Glossary of terms relating to fuel-fired industrial furnaces	—	Established on 1978-10-31	
23. IS : 8850—1978 Guide for use of dental materials	—	—	
24. IS : 8853—1978 Specification for retractor, cheek	—	—	
25. IS : 8854—1978 Specification for retractor, Czerny's pattern	—	—	
26. IS : 8855—1978 Specification for retractor, Langenbeck's pattern	—	—	
27. IS : 8862—1978 Specification for titanium dioxide (anatase type) for rubber industry	—	—	
28. IS : 8865—1978 Specification for cocoa beans	—	—	
29. IS : 8871—1978 Methods for determination of tap density of metallic powders	—	—	
30. IS : 8875—1978 Specification for shedding tappets for plain calico looms	—	—	
31. IS : 8876—1978 Method for determination of residue on chlorination of tungsten metal powder	—	—	
32. IS : 8882—1978 Grading for KHAKAN seeds for oil milling	—	—	
33. IS : 8888—1978 Guide for requirements of low income housing	—	—	

(1)	(2)	(3)	(4)
34. IS : 8894—1978 Specification for cotton tapes for slide fasteners		—	—
35. IS : 8895—1978 Guidelines for handling, storage and transport of slaughterhouse by-products		—	—
36. IS : 8896—1978 Specification for NAHOR oil		—	—
37. IS : 8906—1978 Specification for ice axe-cum-hammer for mountaineering		—	—
38. IS : 8908—1978 Specification for snow stakes for mountaineering		—	—
39. IS : 8944—1978 Specification for chlor-pyrifos emulsifiable concentrates		—	—

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and also from its branch offices at Ahmedabad, Bangalore, Bhopal, Bhubaneshwar Bombay, Calcutta, Chandigarh Hyderabad, Jaipur, Kanpur, Madras, Patna and Trivandrum.

[No. CMD/13 : 2]

A. P. BANERJI, Addl. Director General

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 3 जुलाई, 1981

कां० 2065.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० टी० कनेक्शन से जी०जी०एस० उत्तरकडी तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जन किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 11-5-81 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिमूर्जित करते हैं।

अनुसूची

टी० कनेक्शन से जी०जी०एस० उत्तरकडी तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	कां०आ०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	बालसामन	211	17-1-81	11-5-81

[सं० 12016/15/80-प्रोड-1]

MINISTRY OF PETROLEUM, CHEMICALS & FERTILIZER

(Deptt. of Petroleum)

New Delhi, the 3rd July, 1981

S.O. 2065.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. T. CONNECTION to GGS N. KADI in MEHSANA oilfield in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause(i) of sub-section (1) of section 7 of the said Act, on 11-5-81.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from T. Connection To GGS N. KADI

Name of Ministry	Villages	S.O. No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer.	BALSASAN	211	17-1-81	11-5-81

[No. 12016/15/80-Prod-1]

कां० 2066.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० एन० कडी जी०जी०एस० से एन० कडी सी० टी० एफ०

तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 11-5-81 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एम्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

एन० कडी जी०जी०एम० से एन०कडी सी०टी०एफ० तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०भा०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	भाटारीया	3289	29-11-80	11-5-81

[सं० 12016/15/80-प्रोड-II]

S.O. 2066.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. N. KADI GGS to N. KADI C.T.F. in MEHSANA oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 11-5-81.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from N. KADI GGS to N. KADI C.T.F.

Name of Ministry	Villages	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	BHATARIYA	3289	29-11-80	11-5-81

[No. 12016/15/80-Prod.-II]

का०भा० 2067.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यवस्था स्थल सं० एन०कडी जी०जी०एम० से एन०कडी सी०टी०एफ० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में निर्दिष्ट कार्य दिनांक 11-5-81 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एम्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

एन० कडी जी०जी०एम० से एन०कडी सी०टी०एफ० तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०भा०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	चालासन	3286	29-11-80	11-5-81

[सं० 12016/15/80-प्रोड-III]

S.O. 2067.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section of the Petroleum & Minerals Piplin (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. N. KADI GGS to N. KADI C.T.F. in MEHSANA oil field in Gujarat State.

And whereas the Oil & Natulra Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 11-5-81.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from N. KADI G.G.S. to N. KADI C.T.F.

Name of Ministry	Villages	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	CHALASAN	3286	29-11-80	11-5-81

[No. 12016/15/80-Prod.-III]

का०भा० 2068.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यवस्था स्थल सं० एन० कडी जी०जी०एम० से एन०कडी सी०टी०एफ० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 11-5-1981 में समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करने है।

अनुसूची

एन० कडी जी०जी०एस० से एन० कडी सी०टी०एफ० तक पाइपलाइन कार्य समाप्ति

संस्थान का नाम	गांव	का०आ०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक संस्थान	बालसासन	355	31-1-81	11-5-81

[सं० 12016/15/80-प्रोड-IV]

S.O. 2068.—Whereas by the notification of Government of India as shown in the Schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s. N. KADI GGS to N. KADI C.T.F. in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 11-5-81.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from N. KADI G.G.S. to N. KADI C.T.F.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Pertroleum, Chemicals & Fertilizer	BALSASAN	355	31-1-81	11-5-81

[No. 12016/15/80-Prod.-IV]

का०आ० 2069.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में 471 GI/81—3.

व्ययन स्थल सं० एन० कडी जी०जी०एस० से एन० कडी सी०टी०एफ० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

नेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 11-5-81 में समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

एन० कडी जी०जी०एस० से एन० कडी सी०टी०एफ० तक पाइपलाइन कार्य समाप्ति

संस्थान का नाम	गांव	का०आ०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक संस्थान	तेलवि	3288	29-11-80	11-5-81

[सं० 12016/15/80-प्रोड-V]

S.O. 2069.—Whereas by the notification of Government of India as shown in the Schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act., 1962 the right of user has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s. N. KADI GGS to N. KADI C.T.F. in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 11-5-1981.

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from N. KADI GGS. to N. KADI C.T.F.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	TELAVI	3288	29-11-80	11-5-81

[No. 12016/15/80-Prod.-V]

का०आ० 2070.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन)

अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाना तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यवस्था स्थापन से 0-0-0-0 से सोभासन सी० टी० एफ० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 9-8-1979 में समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एन० द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

एन० ई० ० से सोभासन सी० टी० एफ० तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०आ०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	पुनासन	359	31-1-81	9-8-79

[सं० 12016/15/80-प्रोड-VI]

S.O. 2070.—Whereas by the notification of Government of India as shown in the Schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s. SEA to SOBHASAN C.T.F. in Mohsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 9-8-79.

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from SEA to SOBHASAN C.T.F.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	PUNASAN	359	31-1-81	9-8-79

[No. 12016/15/80-Prod-VI]

का०आ० 2071.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में विनिर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कलोल तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यवस्था स्थापन से 0-0-159 से 0-0-162 से सी० टी० एफ० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 4-4-1974 में समाप्त कर दिया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एन० द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

के०-159 से के०-162 से सी० टी० एफ० तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०आ०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	कलोल सईज	2219	6-9-80	4-4-74

[सं० 12016/12/80-प्रोड]

S.O. 2071.—Whereas by the notification of Government of India as shown in the Schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s.K.-159 to K-162 to C.T.F. in Kalol oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 4-4-1974.

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from K.-159 to K.-162 to C.T.F.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	KALOL SAJI	2219	6-9-80	4-4-74

[No. 12016/12/80-Prod.]

कां०सां० 2072:-यतः भारत सरकार की अधिसूचना के द्वारा जैव कि यहाँ सख्त अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कलोल तेल क्षेत्र में उक्त निर्दिष्ट भूमि में व्ययन स्थल सं० सानन्द-42 से सानन्द-15 तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (i) में निर्दिष्ट कार्य दिनांक 4-6-1975 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद् द्वारा उक्त तिथि का कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

सानन्द-42 से सानन्द-15 तक पाइपलाइन कार्य समाप्ति

संज्ञालय का नाम	गाँव	कां०सां०	भारत के कार्य राजपत्र में समाप्ति की प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक संज्ञालय	जैठलज	2957	1-11-80	4-6-75

[सं० 12016/12/80-प्रोड.]

S.O. 2072:—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. Sanand-42 to Sanand-15 in Kalol oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 4-6-1975.

Now, therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. SANAND 42 to SANAND-15.

Name of Ministry	Village	S. O. No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum, Chemicals & Fertilizer	JETHALAJ	2957	1-11-80	4-6-75

[No. 12016/12/80-Prod.]

कां०सां० 2073:-यतः भारत सरकार की अधिसूचना के द्वारा जैव कि यहाँ सख्त अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कलोल तेल क्षेत्र में उक्त निर्दिष्ट भूमि में व्ययन स्थल सं० के० जे० एक्स० से पानसर जी०जी०एस० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (i) में निर्दिष्ट कार्य दिनांक 19-4-80 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद् द्वारा उक्त तिथि का कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

के० जे० एक्स० से पानसर जी०जी० एस० तक पाइप लाइन कार्य समाप्ति

संज्ञालय का नाम	गाँव	कां०सां०	भारत के कार्य राजपत्र में समाप्ति की प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक संज्ञालय	पानसर	2962	1-11-80	19-4-80

[सं० 12016/12/80-प्रोड-1]

S.O. 2073:—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d. s. KJX to PANSAR GGS in KALOL oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 19-4-80.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of Pipeline from D.S. KJX to PANSAR GGS.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	PANSAR	2962	1-11-80	19-4-80

[No. 12016/12/80-Prod.-I]

कां०आ० 2074:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कलोल तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यवन स्थल सं० के-186 से के-181 तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 19-12-79 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करने हैं।

अनुसूची

के-186 से के-181 तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	कां०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	कलोल	373	31-1-81	19-12-79

[सं० 12016/12/80-प्रोड०]

S.O. 2074:—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. K-186 to K-181 in Kalol oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 19-12-79.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from d.s. K-186 to K-181.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	KALOL	373	31-1-81	19-12-79

[No. 12016/12/80-Prod.]

कां०आ० 2075:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कलोल तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्यवन स्थल सं० 159 से जी०जी०एस० VI तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 18-2-1980 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करने हैं।

अनुसूची

159 से जी०जी०एस० VI तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	छात्रा	कां०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	छात्रा	363	31-1-81	18-2-80

[सं० 12016/12/80-प्रोड०]

S.O. 2075:—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. 159 to GGS VI in Kalol oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 18-2-1980.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of Pipeline from D.S. 159 to G.G.S. VI

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer.	CHATRAL	363	31-1-1981	18-2-80

[No. 12016/12/80-Prod.]

कां०आ० 2076:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कडी तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्ययन स्थल सं० जे०एल० एन० से जालोरा जी०जी० एम० तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 24-8-78 में समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एन० द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

जे० एम० एन० से जालोरा जी०जी० एम० तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	आद्राज बोरीसना	354	31-1-81	24-8-78

[सं० 12016/53/80-प्रोड-II]

S.O. 2076:—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. JLN to JHALORA GGS in Kadi oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 24-8-1978.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from d.s. JLN to JHALORA GGS

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	ADRAJ, BORISANA	354	31-1-1981	24-8-78

[No. 12016/53/80-Prod.-I]

कां०आ० 2077:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कडी तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्ययन स्थल सं० वी०आर०वी० से जी०जी०एम० विराज तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 26-4-80 में समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एन० द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

वी० आर० वी० से जी०जी० एम० विराज तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	नानीकडी	2951	1-11-80	26-4-80

[सं० 12016/53/80-प्रोड-II]

S.O. 2077.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. VRC to GGS VIRAJ in Kadi oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 26-4-80.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of Pipeline from D.S. VRC to GGS Viraj

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Nani Kadi	2951	1-11-80	26-4-1980

[No. 12016/53/80-Prod.-II]

क्रां.सं० 2078:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कड़ी तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्ययक्त स्थल सं० झालोरा-4 से जी०जी०एस० झालोरा तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 4-3-1980 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त विधि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

झालोरा-4 से जी०जी०एस० झालोरा तक पाइपलाइन कार्य समाप्ति

संज्ञालय का नाम	गाँव	क्रा०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	अमलीयारा	286	24-1-81	4-3-80

[सं० 12016/53/80-प्रोड-III]

S.O. 2078.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. Jhalora-4 to G.G.S. Jhalora in Kadi oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 4-3-1980.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of pipeline from D.S. Jhalora-4 to G.G.S. Jhalora

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Amaliyara	286	24-1-1981	4-3-80

[No. 12016/53/80-Prod.-III]

क्रा० सं० 2079:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कड़ी तेल क्षेत्र में उक्त विनिर्दिष्ट भूमि में व्ययक्त स्थल सं० बी० आर० डी० से जी०जी०एस० विराज तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 6-5-80 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त विधि को कार्य समाप्त की तिथि अधिसूचित करने हैं।

अनुसूची

बी० आर० डी० से जी०जी०एस० विराज तक पाइपलाइन कार्य समाप्ति

संज्ञालय का नाम	गाँव	क्रा०सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	नानी कड़ी	3051	8-11-80	6-5-80

[सं० 12016/53/80-प्रोड-IV]

S.O. 2079.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. VRD to GGS Viraj in Kadi oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 6-5-80.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of pipeline from D.S. VRD to GGS VIRAJ

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Nani Kadi	3051	8-11-80	6-5-80

[No. 12016/53/80-Prod.-IV]

का० आ० 2080.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के कड़ी तेल क्षेत्र में उक्त निर्दिष्ट भूमि में व्ययक्त स्थल सं० बी० आर० बी० से जी० जी० एम० विराज तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं;

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (i) में निर्दिष्ट कार्य दिनांक 26-4-80 से समाप्त कर दिया गया है;

अतः, अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

बी० आर० बी० से जी० जी० एम० विराज तक पाइपलाइन कार्य समाप्ति

संबाल्य का नाम	गांव	का०आ०सं०	भारत के कार्य समाप्ति राजपत्र में की तिथि प्रकाशन की तिथि	
पेट्रोलियम, रसायन और उर्वरक मंत्रालय	नानी कड़ी	3052	8-11-80	26-4-80

[सं० 12016/53/80 प्रोड-V]

(हस्ताक्षर अपठनीय)

गुजरात के लिए नियमान्तर्गत सक्षम प्राधिकारी

S.O. 2080.—Whereas by the notification of Government of India as shown in the Schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s. VRB to GGS Viraj in Kadi oilfield in Gujarat State;

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 26-4-80;

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of operation of pipeline from VRB to GGS Viraj

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Nani Kadi	3052	8-11-80	26-4-80

[No. 12016/53/80-Pro I. V]

(Sign Illegible)

Competent Authority under the Act for Gujarat

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 29 जून, 1981

का० आ० 2081.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अन्तर्गत भारत सरकार के हस्तात, खान और कोयला मंत्रालय (कोयला विभाग) की अधिसूचना सं० का० आ० 3297 तारीख 29 नवम्बर, 1980 द्वारा उस अधिसूचना से संलग्न अनुसूची में निर्दिष्ट भूमि का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में, अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने और उत्तर प्रदेश सरकार से परामर्श करने के पश्चात्, यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 5400.00 एकड़ (लगभग) या 2185.27 हेक्टर (लगभग) माप की भूमि का अर्जन किया जाना चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त अनुसूची में वर्णित 5400.00 एकड़ (लगभग) या 2185.27 हेक्टर (लगभग) माप की भूमि का अर्जन किया जाता है।

2. इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का विरोक्षण कलकट्टर, मिर्जापुर (उत्तर प्रदेश) के कार्यालय या कोयला नियंत्रक, 1 कोसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय या सेट्टल कोलफील्ड लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची (बिहार) के कार्यालय में किया जा सकता है।

अनुसूची

हूथीचूआ न्याकि-11

(मिगरीवी कोयला क्षेत्र)

(जिला—मिर्जापुर)

उत्तर प्रदेश

रेखांक सं० राजस्व 4/81

तारीख 20-1-81

(जिसमें अर्जित की गई भूमि दर्शित है)

सभी अधिकार

क्र० सं०	ग्राम	नदमाल	नदसोस सं०	थाना	परगना	जिला क्षेत्र	टिप्पणियां
1.	परमावर राजा	इडी	34	मिसरा (खैरबा)	मिगरीवी	मिर्जापुर	आग
2.	जोगीचौरा	"	46	"	"	"	"
3.	बिषकादान	"	49	"	"	"	"
4.	कोटा	"	82	"	"	"	"
5.	खादिया	"	115	"	"	"	"
6.	भैरवा	"	—	"	"	"	"

कुल क्षेत्र 5400.00 एकड़ (लगभग)

या 2185.27 हेक्टर (लगभग)

ग्राम परसावर राजा में अजित किया गया प्लाट सं० :—1 (भाग)

ग्राम जोगीचौरा में अजित किया गया प्लाट सं० :—1 (भाग)

ग्राम बिलकादानर में अजित किए गए प्लाट सं० :—1 से 190 तक, 197 (भाग), 198 से 208 तक, 209 (भाग), 210, 211 (भाग), 212 (भाग), 213 से 632 तक, 633 (भाग), 634 से 662 तक, 663 (भाग), 664, 665 (भाग), 669 (भाग), 670 (भाग), 693 (भाग), 694 (भाग), 696 (भाग), 697 (भाग), 906 (भाग), 907 (भाग), 915 (भाग), 918 (भाग), 919 (भाग), 920 (भाग), 921 (भाग), 922 (भाग), 923 से 943 तक, 944 (भाग), 945 से 1262 तक, 1263 (भाग), 1264 से 1406 तक, 1407 (भाग), 1408 (भाग), 1425 (भाग), 1426, 1427 (भाग), 1428 (भाग), 1429 (भाग), 1451 (भाग), 1452 (भाग), 1454 (भाग), 1456 (भाग), 1457 से 1471 तक, 1472 (भाग), 1473, 1474, 1475, 1476 (भाग), 1477, 1478 (भाग), 1483 (भाग), 1488 (भाग), 1489 (भाग), 1490 (भाग), 1491 से 1800 तक, 1801 (भाग), 1802 (भाग), 1803, 1804, 1805, 1806 (भाग), 1807 से 1841 तक, 1842 (भाग), 1843, 1844, 1845, 1846, 1847 (भाग), 1848 (भाग), 1852 (भाग), 1853 (भाग), 1854 (भाग), 1980 (भाग), 1981 (भाग), 1982, 1983, 1984 (भाग), 1985 (भाग), 1988 (भाग), 1989 (भाग), 1990 (भाग), 1993 (भाग), 2020 (भाग), 2021, 2022 (भाग), 2023, 2024, 2025 (भाग), 2201 से 2211 तक ।

ग्राम कोटा में अजित किए गए प्लाट सं० :—1 (भाग), 2 से 19 तक, 20 (भाग), 21 (भाग), 22 (भाग), 23 (भाग), 24 (भाग), 25 से 30 तक, 31 (भाग), 37 (भाग), 42 (भाग), 43 (भाग), 3256 (भाग) ।

ग्राम खादिया में अजित किए गए प्लाट सं० :—1 से 243 तक, 244 (भाग), 245, 246 (भाग), 247 (भाग), 263 (भाग), 267 (भाग), 268 (भाग), 269 से 381 तक, 382 (भाग), 383 (भाग), 384 से 388 तक, 389 (भाग), 392 (भाग), 393 (भाग), 394 (भाग), 395 (भाग), 396 (भाग), 414 (भाग), 415 (भाग), 609 (भाग), 619, 620 (भाग), 624 (भाग), 626 (भाग), 627 (भाग), 628 (भाग), 629 से 634 तक, 635 (भाग), 636 से 647 तक, 648 (भाग), 649 (भाग), 650 से 704 तक, 705 (भाग), 712 (भाग), 713 (भाग), 714 (भाग), 735 (भाग), 736 (भाग), 737 (भाग), 1000 (भाग), 1010 (भाग), 1011 (भाग), 1128 (भाग), 1138 (भाग), 1303 (भाग), 1309 (भाग), 1311 (भाग), 1312, 1313 (भाग), 1314 (भाग), 1315 (भाग), 1316, 1317 (भाग), 1724, 1725, 1726, 1727, 1732 (भाग), 1733 ।

ग्राम भैरवा में अजित किए गए प्लाट सं० :—1 से 16 तक, 17 (भाग) ।

सीमा वर्णन :

क-ख रेखा नदी की मध्य रेखा के साथ-साथ जाती है जो बिलकादानर (उ० प्र०) और माधोली (म० प्र०) ग्रामों की सांझी सीमा, बिलकादानर (उ० प्र०) और सरमाबहाल टोला (म० प्र०) ग्राम की तथा बिलकादानर (उ० प्र०) और बन्नेली (म० प्र०) ग्रामों की सांझी सीमा है ।

ख-ग रेखा बिलकादानर ग्राम के प्लाट सं० 633, 670, 669, 663, 665, 212, 211, 209, 197, 693, 694, 1490, 696, 697, 1489, 1488, 1476, 1483, 1478, 1472, 1451, 1452, 1454, 1456, 1440, 1442, 1425, 1427,

1428, 1429, 1408, 1407, 1263, 906, 907, 922, 921, 920, 919, 918, 915, में से होकर ग्राम कोटा के प्लाट सं० 1, 43, 42, 31, 3256, 24, 23, 22, 21, 20 और 37 में से होकर जाती है ।

ग-ग/1 रेखा ग्राम बिलकादानर के प्लाट सं० 914, 1848, 1847, 1852, 1853, 1854, 1981, 1980, 1985, 1984, 1988, 1989, 1990, 1993, 1847, 1842, 1806, 1802, 1801, 2022, 2020, 2025, में से होकर ग्राम खादिया के प्लाट सं० 382, 383, 389, 392, 393, 394, 392, 395, 396, 414, 415, 268, 267, 263, 244, 246, 247, 635, 609, 628, 627, 626, 624, 620, 648, 649, 609, 705, 712, 713, 714, 735, 732, 737, 736, 1000, 1011, 1010, 1011, 1128, 1138, 1309, 1313, 1311, 1303, 1314, 1315, 1317 में से और परसावर राजा के प्लाट सं० 1 में से होकर जाती है (जो मारक ब्लॉक के साथ सांझी सीमा है) ।

ग/1ख रेखा ग्राम परसावर राजा के प्लाट सं० 1 में से जोगीचौरा के प्लाट सं० 1 में से होकर जाती है और परसावर राजा और जोगीचौरा ग्रामों की प्रांशिक सांझी सीमा के साथ-साथ ग्राम भैरवा के प्लाट सं० 17 से होकर जाती है (जो मारक ब्लॉक के साथ सांझी सीमा है) ।

घ-ङ रेखा भैरवा ग्राम के प्लाट सं० 17 में से होकर और भैरवा और जमशीला ग्रामों की प्रांशिक सांझी सीमा के साथ-साथ जाती है । (जो जोगीचौरा ब्लॉक के साथ सांझी सीमा है) ।

झ-ञ रेखा उत्तर प्रदेश और मध्य प्रदेश की सांझी सीमा है और आरम्भिक बिन्दु 'क' पर मिलती है ।

[सं० 19/3/81-सी० एल०]

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 29th June, 1981

S.O. 2081.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O.3297 dated the 29th November, 1980 under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and, after consulting the Government of Uttar Pradesh, is satisfied that the lands measuring 5400.00 acres (approximately) or 2185.27 hectares (approximately) described in the Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 5400.00 acres (approximately) or 2185.27 hectares (approximately) described in the said Schedule are hereby acquired;

2. The plans of the area covered by this notification may be inspected in the Office of the Collector, Mirzapur (Uttar Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta, or in the Office of Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi (Bihar).

SCHEDULE

Dudhichua Block-II
(Singrauli Coalfield)
(District—Mirzapur)
Uttar Pradesh

Drg. No. Rcv/4/81

Dated 20-1-81

(showing lands acquired)

ALL RIGHTS

Serial number	Village	Tahsil	Tahsil number	Thana	Pargana	District	Area	Remarks
1.	Paraswar Raja	Dudhi	34	Misra (Khairwa)	Singrauli	Mirzapur		Part
2.	Jogichoura	"	46	"	"	"		"
3.	Chilkadanr	"	49	"	"	"		"
4.	Kota	"	82	"	"	"		"
5.	Khadia	"	115	"	"	"		"
6.	Bhairwa	"	—	"	"	"		"

Total area : 5400.00 acres (approximately)
or : 2185.27 hectares (approximately)

Plot number to be acquired in village Paraswara Raja :—

1 (Part)

Plot number to be acquired in village Jogichoura :—1(Part)

Plot numbers to be acquired in village Chalkadanr :—

1 to 196, 197 (Part), 198 to 208, 209(part), 210, 211 (Part), 212 (Part), 213 to 632, 633(Part), 634 to 662, 663 (Part), 664, 665(Part), 669(Part), 670(Part), 693(Part), 694(Part), 696(Part), 697(Part), 906 (Part), 907 (Part), 915 (Part), 918 (Part), 919 (Part), 920 (Part), 921(Part), 922(Part), 923 to 943, 944(Part), 945 to 1262, 1263 (Part), 1264 to 1406, 1407 (Part), 1408 (Part), 1425 (Part), 1426, 1427 (Part), 1428 (Part), 1429 (Part), 1430 to 1439, 1440 (Part), 1441, 1442(Part), 1451(Part), 1452(Part), 1454 (part), 1456(Part), 1457 to 1471, 1472(Part), 1473, 1474, 1475, 1476 (Part), 1477, 1478(Part), 1483(Part), 1488(Part), 1489 (Part), 1490 (Part), 1491 to 1800, 1801 (Part), 1802 (Part), 1803 (Part), 1804, 1805, 1806(Part), 1807 to 1841, 1842(Part), 1843, 1844, 1845 1846, 1847(Part), 1848(Part), 1852(Part), 1853(Part), 1854(Part), 1980(Part), 1981(Part), 1982, 1983, 1984(Part), 1985(Part), 1988(Part), 1989(Part), 1990(Part), 1993(Part), 2020(Part), 2021, 2022(Part), 2023, 2024, 2025(Part), 2201 to 2211.

Plot numbers to be acquired in village Kota :—1(Part), 2 to 19, 20(Part), 21(Part), 22(Part), 23(Part), 24 (Part), 25 to 30, 31(Part), 37(Part), 42(Part), 43(Part), 3256(Part).

Plot numbers to be acquired in village Khadia :—

1 to 243, 244(Part), 245, 246(Part), 247(Part), 263(Part), 267 (Part), 268(Part), 269 to 381, 382(Part), 383(Part), 384 to 388, 389(Part), 392(Part), 393(Part), 394(Part), 395(Part), 396(Part), 414(Part), 415(Part), 609(Part), 619, 620(Part), 624(Part), 626 (Part), 627(Part), 628(Part), 629 to 631, 635 (Part), 636 to 647, 648(Part), 649(Part), 650 to 704, 705(Part), 712(Part), 713(Part), 714(Part), 735(Part), 736(Part), 737(Part), 1000(Part), 1010 (Part), 1011(Part), 1128(Part), 1138(Part), 1303(Part), 1309 (Part), 1311(Part), 1312, 1313(Part), 1314(Part), 1315 (Part), 1316, 1317(Part), 1724, 1725, 1726, 1727, 1732(Part), 1733.

Plot numbers to be acquired in village Bhairwa :—1 to 16, 17 (Part).

471 GI/81—4

Boundary description :—

- A-B line passes alongwith Central line of the River (which forms common boundary of villages Chilkadanr (U.P.) and Madhauri (M.P.), common boundary of villages Chilkadanr (U.P.) and Sarsabhalattola (M.P.) and village Chilkadanr (U.P.) and Chandeli (M.P.).
- B-C line passes through plot numbers 633, 670, 669, 663, 212, 211, 209, 197, 693, 694, 1490, 696, 697, 1489, 1488, 1476, 1483, 1478, 1472, 1451, 1452, 1454, 1456, 1440, 1442, 1425, 1427, 1428, 1429, 1408, 1407, 1263, 906, 907, 922, 921, 920, 919, 918, 915, of village Chilkadanr, through plot numbers 1, 43, 42, 31, 3256, 24, 23, 22, 21, 20 and 37 of village Kota.
- C-C/1 line passes through plot numbers 944, 1848, 1847, 1852, 1853, 1854, 1981, 1980, 1985, 1984, 1988, 1989, 1990, 1993, 1847, 1842, 1806, 1802, 1801, 2022, 2020, 2025, of village Chilkadanr through Plot numbers 382, 383, 389, 392, 393, 394, 392, 395, 396, 414, 415, 268, 267, 263, 244, 246, 247, 635, 609, 628, 627, 626, 624, 620, 648, 649, 609, 705, 712, 713, 714, 735, 1732, 737, 736, 1000, 1011, 1010, 1011, 1128, 1138, 1309, 1313, 1311, 1303, 1314, 1315, 1317, of village Khadia and through plot numbers 1 of village Paraswar Raj (which forms common boundary with Marrak Block).
- C/1-D line passes through plot number 1 of village Paraswar Raja through plot number 1 of village Jogichoura and along part common boundary of villages Paraswar Raja and Jogichoura, through plot numbers 17 of village Bhairwa (which forms common boundary with Marrak Block).
- D-E Line passes through plot number 17 of village Bhairwa and along part common boundary of villages Bhairwa and Jamshila (which forms common boundary with Jogichoura Block).
- E-A line forms common boundary with Uttar Pradesh and Madhya Pradesh and meets at starting point 'A'.

[No. 19/3/81-CL]

नई दिल्ली, 30 जून, 1981

का० प्रा० 2082—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (घर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं० का० प्रा० 798 (अ), तारीख 16 सितम्बर, 1980 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि अर्जित करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में, अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है ;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने तथा बिहार सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 3070.00 एकड़ (लगभग) या 1242.36 हेक्टर (लगभग) माप की भूमि का अर्जन किया जाना चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त अनुसूची में वर्णित 3070.00 एकड़ (लगभग) या 1242.36 हेक्टर (लगभग) माप की भूमि का अर्जन किया जाता है ।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त हजारीबाग (बिहार) और उपायुक्त, गिरिडीह (बिहार) के कार्यालय या कोयला नियंत्रक 1, कार्बनिल हाउस स्ट्रीट, कलकत्ता के कार्यालय या सेंट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), वरधंगा हाउस, राँची (बिहार) के कार्यालय में किया जा सकता है ।

अनुसूची

हाईंग ब्लॉक

(पश्चिमी बोकारो कोयला क्षेत्र)

जिला—हजारीबाग और गिरिडीह

रेखांक सं० राजस्व 103/80

तारीख 27-10-80

अधो अधिकार (जिसमें अर्जित की गई भूमि वर्णित की गई है)

क्रम सं०	ग्राम	धाना	धाना सं०	जिला	क्षेत्रफल एकड़ में	टिप्पणी
1.	बसंतपुर	मांडू	105	हजारीबाग		भाग
2.	कोटरे	मांडू	106	हजारीबाग		भाग
3.	पचन्दा	मांडू	107	हजारीबाग		पूर्ण
4.	बुलकासमार	मांडू	108	हजारीबाग		भाग
5.	इच्छकडीह	मांडू	161	हजारीबाग	1430.00	भाग
6.	लोहयो	मांडू	162	हजारीबाग		भाग
7.	गोमिया	गोमिया	27	गिरिडीह		भाग
8.	हाईंग	गोमिया	28	गिरिडीह		भाग
9.	रहवा	गोमिया	29	गिरिडीह	1640.00	पूर्ण
10.	बबरैया	गोमिया	30	गिरिडीह		भाग

कुल क्षेत्र 3070.00 एकड़ (लगभग)

या 1242.36 हेक्टर (लगभग)

बैसतपुर ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

77(भाग), 85(भाग), 86(भाग), 87 से 107, 108(भाग), 109(भाग), 110 से 118, 119 (भाग), 133 (भाग), 134(भाग), 135 से 161, 162(भाग), 163, 164, 165, 166(भाग), 168 (भाग), 169(भाग), 181(भाग), 184 (भाग), 267 (भाग), 268(भाग), 269(भाग), 270, 272 (भाग), 273 (भाग), 298 (भाग), 299(भाग), 304(भाग), 307(भाग), 308 (भाग), 309(भाग), 310, 311, 312(भाग), 313(भाग), 314 (भाग), 315 से 324, 325(भाग), 326(भाग), 329(भाग), 330, 331, 332, 333(भाग), 334(भाग), 335(भाग), 339(भाग), 342(भाग), 343 से 350, 351(भाग), 352, 353, 354(भाग), 355 (भाग), 363(भाग), 364(भाग), 365 से 369, 370(भाग), 371 (भाग), 372, 373(भाग), 374(भाग), 375(भाग), 376, 377, 378(भाग), 379 से 431, 432(भाग), 433 से 460, 461(भाग), 462(भाग), 463(भाग), 470(भाग), 471(भाग), 472, 473, 474 (भाग), 475 (भाग), 514(भाग), 527(भाग), 528 (भाग), 529, 530, 531, 532(भाग), 533(भाग), 534(भाग), 542 (भाग), 562(भाग), 563 (भाग), 564(भाग), 565 से 586, 587(भाग), 588 से 636, 637(भाग), 638 से 648, 649(भाग), 650, 651(भाग), 652 से 667, 668(भाग), 671(भाग), 672, 673 (भाग), 674, 675, 676, 677, 678(भाग), 680(भाग), 681, 682 683(भाग), 684, 685(भाग), 686(भाग), 702(भाग), 711(भाग), 769(भाग), 784(भाग), 785 से 791, 792(भाग), 793, 794 (भाग), 795, 796, 797, 798, 799(भाग), 800, 801(भाग), 802 (भाग), 803, 804, 805(भाग), 806(भाग), 807, 808(भाग), 809, 810(भाग), 811(भाग), 820(भाग), 821, 822(भाग), 823 (भाग), 832 (भाग), 1117 और 1125 ।

कोटरे ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

17(भाग), 19, 18, 20, 21(भाग), 22(भाग), 23(भाग), 25 (भाग), 26, 28(भाग), 29, 30, 31(भाग), 33(भाग), 34(भाग), 35, 36, 37(भाग), 38(भाग), और 39 से 51 तक ।

पचन्दा ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

1 से 256 तक ।

बुलकासमार ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

684 (भाग), 685, 687(भाग), 688 से 693, 694(भाग), 695 (भाग), 696, 697, 722(भाग), 723 और 766 (भाग)।

इच्छकडीह ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

1, 2072, 2183 और 2865 ।

लोहयो ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

42(भाग), 43 से 59, 60(भाग), 61(भाग), 62(भाग), 63 से 72, 73(भाग), 74, 84(भाग), 140(भाग), 2041, 2042, 2043, 2044, 2045, 2046 और 3460 ।

गोमियों ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

7(भाग), 9(भाग), 10, 11 (भाग), 12 से 114, 115, 116, 117, 118 से 332, 333(भाग), 352 (भाग), 401(भाग), 402 से 969, 970(भाग), और 977 ।

हाईंग ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

2(भाग), 3, 4, 5, 6 और 7 से 94 ।

रहवा ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :—

1 से 1045 ।

बंशरैया ग्राम में अर्जित किये गये प्लॉटों के संख्यांक :

1,2,3(भाग), 4,5,6,7,8 (भाग), 9 (भाग), और 10 से 153

सीमा वर्णन

- क—ख रेखा बसन्तपुर ग्राम (जो बसन्तपुर ब्लॉक की सांझी सीमा है) के प्लॉट सं० 711, 685, 686, 683, 680, 678, 673, 702, 671, 668, 651, 649, 769, 637, 784, 792, 794, 799, 801, 802, 805, 806, 808, 587, 810, 811, 820, 823, 822, 587, 832, 587, 564, 563, 562, 587, 534, 533, 532, 542, 527, 528, 461, 462, 463, 470, 471, 474, 514, 475 से होकर जाती है।
- ख—ग रेखा बसन्तपुर और पचन्दा ग्रामों की सांझी सीमा (जो बसन्तपुर ब्लॉक की सांझी सीमा है) से होकर जाती है।
- ग—घ रेखा चुतुआ ताला (जो पचन्दा और बसन्तपुर, दुरुकसमार और बसन्तपुर ग्रामों की सांझी सीमा है) से होकर जाती है।
- घ—ङ रेखा चुतुआ नदी की दक्षिणी सीमा के साथ-साथ दुरुकसमार ग्राम के प्लॉट सं० 756, 684, 756, 687 प्लॉट संख्या 697 और 698 की सांझी सीमा के साथ-साथ प्लॉट सं० 695, 644, 722 (इसकी सीमा का एक भाग टाटा वॉल्ट बोकरो कोइलरी की सांझी सीमा है) में से होती हुई और इच्छकडीह ग्राम की दक्षिणी सीमा के साथ-साथ जाती है।
- ङ—च रेखा हाईंग ग्राम की दक्षिणी सीमा के एक भाग को साथ-साथ जाती है तत्पश्चात् इच्छकडीह और लोइयो ग्राम में चुतुआ नदी की दक्षिणी सीमा के साथ-साथ जाती है।
- च—छ—ज रेखा लोइयो ग्राम (जो बनेया ब्लॉक की सांझी सीमा है) के प्लॉट सं० 140 (चुतुआ नदी) 84, 73, 62, 60, 84, 42, और 84 से होकर जाती है।
- ज—झ रेखा लोइयो ग्राम के प्लॉट सं० 84 से होकर जाती है तत्पश्चात् लोइयो और बंधरैया ग्रामों की सांझी सीमा के साथ-साथ जाती है।
- झ—ञ रेखा बंधरैया ग्राम के प्लॉट सं० 9, 8 और 3, पांचमी ग्राम के प्लॉट सं० 970, 401, 333, 352, 9, 7 हाईंग ग्राम के प्लॉट सं० 2 कोटर ग्राम के प्लॉट सं० 38, 37, 34, 33, 31, 28, 25, 23, 22, 17 और 21 से होकर जाती है।
- ञ—क रेखा प्लॉट सं० 85, 77, 86, 119, 109, 108, 432, 134, 133, 166, 168, 169, 162, 181, 184, 363, 364, 370, 371, 373, 375, 374, 378, 351, 355, 354, 339, 342, 333, 335, 334, 329, 325, 326, 298, 299, 304, 309, 308, 312, 313, 307, 314, 273, 272, 269, 268, 267 से होकर जाती है। तत्पश्चात् बसन्तपुर ग्राम में प्लॉट सं० 711 और 262 की सांझी सीमा (जो बसन्तपुर ब्लॉक की सांझी सीमा है) के साथ-साथ जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं० 19/58/80-सी०एल०]

New Delhi, the 30th June, 1981

S. O. 2082 —Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S. O. 798 (E) dated the 16th September, 1980, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule appended to that notification:

And whereas the competent authority, in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid, and after consulting the Government of Bihar, is satisfied that the lands measuring 3070.00 acres (approximately) or 1242.36 hectares (approximately), described in the Schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 3070.00 acres (approximately) or 1242.36 hectares (approximately), described in the said Schedule, are hereby acquired.

The plans of the area covered by this notification may be inspected in the Office of the Deputy Commissioner, Hazaribagh (Bihar) and the Deputy Commissioner, Giridih (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Central Coalfields Limited (Revenue Section) Darbhanga House, Ranchi (Bihar).

SCHEDULE

Hurdag Block

(West Bokaro Coalfield)

District Hazaribagh & Giridih

Drg. No. Rev/103/80

Dated 27-10-80

All Rights

(Showing lands acquired)

Serial number	Village	Village thana	Thana number	District	Area in acre	Remark
1. Basantpur	Mandu	105	Hazaribagh	}	1430.00	Part
2. Kotre	do	106	do			do
3. Pachanda	do	107	do			Full
4. Durukasmār	do	108	do			Part
5. Ichakdih	do	161	do			do
6. Loiyo	do	162	do			do
7. Pachmo	Gomia	27	Giridih	}	1640.00	Part
8. Hurdag	do	28	do			do
9. Rahawan	do	29	do			Full
10. Baghraiya	do	30	do			Part

Total area :—3070.00 acres (Approximately)
or 1242.36 hectares (approximately)

Plots numbers acquired in village Basantpur :—

77(part), 85(part), 86(part), 87 to 107, 108(part), 109(part), 110 to 118, 119(part), 133(part), 134(part), 135 to 161, 162(part), 163, 164, 165, 166(part), 168(part), 169(part), 181(part), 184(part), 267(part), 268(part), 269(part), 270, 271, 272(part), 273(part), 298(part), 299(part), 304(part), 307(part), 308(part), 309(part), 310, 311, 312(part), 313(part), 314(part), 315 to 324, 325(part), 326(part), 329(part), 330, 331, 332, 333(part), 334(part), 335(part), 339(part), 342(part), 343 to 350, 351(part), 352, 353, 354(part), 355(part), 363(part), 364(part), 365 to 369, 370(part), 371(part), 372, 373(part), 374(part), 375(part), 376, 377, 378(part), 379 to 431, 432(part), 433 to 460, 461(part), 462(part), 463(part), 470(part), 471(part), 472, 473, 474(part), 475(part), 514(part), 527(part), 528(part), 529, 530, 531, 532(part), 533(part), 534(part), 542(part), 562(part), 563(part), 564(part), 565 to 586, 587(part), 588 to

636, 637(part), 638 to 648, 649(part), 650, 651(part), 652 to 667, 668(part), 671(part), 672, 673(part), 674, 675, 676, 677, 678(part), 680(part), 681, 682, 683(part), 684, 685(part), 686(part), 702(part), 711(part), 769(part), 784(part), 785 to 791, 792(part), 793, 794(part), 795, 796, 797, 798, 799(part), 800, 801(part), 802(part), 803, 804, 805(part), 806(part), 807, 808(part), 809, 810(part), 811(part), 820(part), 821, 822(part), 823(part), 832(part) 1117 and 1125.

Plot numbers acquired in village Kotre :—

17(part), 18, 19, 20, 21(part), 22(part), 23(part), 25(part), 26, 28(part), 29, 30, 31(part), 33(part), 34(part), 35, 36, 37(part), 38(part), and 39 to 51.

Plot numbers acquired in village Pachanda :—

1 to 256.

Plot numbers acquired in village Durukasmar :—

684(part), 685, 686, 687(part), 688 to 693, 694(part), 695(part), 696, 697, 722(part), 723 and 756 (part).

Plot numbers acquired in village Ichakdih :—

1, 2072, 2183 and 2865.

Plot numbers acquired in village Loiyo.

42 (part), 43 to 59, 60(part), 61(part), 62(part), 63 to 72, 73(part), 74, 84(part), 140(part), 2041, 2042, 2043, 2044, 2045, 2046, and 3460.

Plot numbers acquired in village Pachmo :—

7(part), 9(part), 10, 11(part), 12 to 114, 115, 116, 117, 118 to 332, 333(part), 352(part), 401(part), 402 to 969, 970(part), and 977.

Plot numbers acquired in village Hurdag :—

2(part), 3, 4, 5, 6 and 7 to 94.

Plot numbers acquired in village Rahawan :—

1 to 1045.

Plot numbers acquired in village Baghraiya :—

1, 2, 3, (part), 4, 5, 6, 7, 8(part), 9 and 10 to 153.

BOUNDARY DESCRIPTION :

- A-B** line passes through plot numbers 711, 685, 686, 683, 680, 678, 673, 702, 671, 668, 651, 649, 769, 637, 784, 792, 794, 799, 801, 802, 805, 806, 808, 587, 810, 811, 820, 823, 822, 587, 832, 587, 564, 563, 562, 587, 534, 533, 532, 542, 527, 528, 461, 462, 463, 470, 471, 474, 514, 475 in village Basantpur which forms common boundary of Basantpur Block).
- B-C** line passes along the part common boundary of villages Basantpur and Pachanda (which forms common boundary of Basantpur Block).
- C-D** line passes through Chutua Nalla (which falls common boundary with the villages Pachanda and Basantpur, Durukasmar and Basantpur).
- D-E** line passes along the Southern Boundary of River Chutua Nadi, through plot numbers 756, 684, 756, 687, common boundary with plot numbers 697 and 698, through plot numbers 695, 694, 722 (part of the boundary, forms common boundary with Tata West Bokaro Colliery) in village Durukasmar and also along the southern boundary of village Ichakdih.
- E-F** line passes along the part southern boundary of village Hurdag, then along the southern boundary of Chutua Nadi in villages Ichakdih and Loiyo.

F-G-H line passes through plot numbers 140 (Chutua Nadi 84, 73, 62, 61, 60, 84, 42 and 84 in village Loiyo which forms common boundary of Danc Block).

H-I line passes through plot number 84 in village Loiyo, then along the part common boundary of villages Loiyo and Baghraiya.

I-J line passes through plot numbers 9, 8 and 3 in village, Baghraiya, through plot numbers 970, 401, 333, 354, 9, 7 in village Pachmo, through plot number 2 in village Hurdag, through plot numbers 38, 37, 34, 33, 31, 28, 25, 23, 22, 17 and 21 in village Kotre.

J-A line passes through plot numbers 85, 77, 86, 119, 109, 108, 432, 134, 133, 166, 168, 169, 162, 181, 184, 363, 364, 370, 371, 373, 375, 374, 378, 351, 355, 354, 339, 342, 333, 335, 334, 329, 325, 326, 298, 299, 304, 309, 308, 312, 313, 307, 314, 273, 272, 269, 268, 267, then along the part common boundary of plot numbers 711 and 262 in village Basantpur (which forms common boundary of Basantpur Block) and meets at starting point 'A'.

[19/58/80-CL]

CORRIGENDUM

New Delhi, the 4th July, 1981

S.O. 2083.—In the notification of the Government of India in the Ministry of Energy (Department of Coal), No. S.O. 3294, dated the 10th November, 1980 published in the Gazette of India Part II—Section 3—Sub-section(ii) dated the 29th November 1980, at pages 4082 to 4085.

(a) At page 4083.—

(i) In column (1) in line 17

For "Oundary description" Read "Boundary description".

(ii) In Column (2) in line 43

For "2407 (P)"

Read "2407".

(iii) In Column (2), in line 60 For "270"

Read "279"

(b) At page 4085 in Column (1)

(i) In line 1: For "035.2"

Read "2035"

(ii) In line 10: For "Nizigar"

Read "Nizigarh"

[No. 19/8/80-CL]

नई दिल्ली, 16 जुलाई, 1981

क्र० आ० 2084.—केंद्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध भूनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, केंद्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, कोयले का पूर्वोक्त करने के अपने प्राथम्य की सूचना देती है ।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण कोलफील्ड लिमिटेड के कार्यालय राजस्व अनुभाग, कोल इस्टेट सिविल लाइन्स नागपुर-1 में या कलक्टर के कार्यालय बिलासपुर (मध्य प्रदेश) में अथवा कोयला नियंत्रक के कार्यालय, 1 काउन्सिल हाउस स्ट्रीट कलकत्ता में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हिनबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी तर्कों,

जाटीं और अन्य दस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी, वेस्टन कोलफील्ड लिमिटेड कोल इस्टेट, सिविल लाइन्स, नागपुर-1 को भेजेंगे।

अनुसूची

राजगमार उत्तर विस्तार ब्लॉक कोरबा कोयला क्षेत्र जिला बिलासपुर (मध्य प्रदेश)

रेखांक सं० सी-1 (ड)/III/डी० आर०/156-0680, तारीख 12-6-80 (पूर्वक्षण के लिए अधिसूचित भूमि दर्शित करने हुए)

क्रम सं०	ग्राम	हलका सं०	खेबट सं०	तहसील	जिला	क्षेत्रफल एकड़ में	टिप्पणियाँ
1. केसला		19	108	कठघोरा	बिलासपुर	1450.00	भाग
2. गोरमा		19	—	यथोक्त	यथोक्त	2760.00	पूर्ण
3. तिवनारा (असर्वेक्षित)		19	—	यथोक्त	यथोक्त	840.00	पूर्ण
कुलक्षेत्र :		5050.00 एकड़ (लगभग)					
या		2043.665 हेक्टर (लगभग)					

सीमा वर्णन :

क-ख रेखा गोरमा (असर्वेक्षित) की उत्तरी सीमा के साथ-साथ जाती है और बिन्दु "ख" पर मिलती है।

ख-ग रेखा तिवनारा ग्राम (असर्वेक्षित) की पश्चिमी सीमा के साथ-साथ जाती है और बिन्दु "ग" पर मिलती है।

ग-घ रेखा तिवनारा ग्राम (असर्वेक्षित) की उत्तरी सीमा के साथ-साथ जाती है और बिन्दु "घ" पर मिलती है।

घ-ङ रेखा तिवनारा (असर्वेक्षित) और मोहरा (असर्वेक्षित) ग्रामों की साझी सीमा के साथ-साथ जाती है और बिन्दु "ङ" पर मिलती है।

ङ-च रेखा तिवनारा (असर्वेक्षित), गोरमा (असर्वेक्षित) की दक्षिणी सीमा के साथ-साथ और भागलः केसला ग्राम जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जन राजगमार ब्लॉक (कोरबा कोयला क्षेत्र को देखिए) का० आ० अधिसूचना सं० 2989 तारीख 7-10-1963, उत्तरी सीमा भी है, के साथ-साथ जाती है और बिन्दु "छ" पर मिलती है।

छ-ज रेखा ग्राम केसला में से होकर जाती है और बिन्दु "ज" पर मिलती है।

ज-क रेखा बेला, केसला और गोरमा ग्रामों की साझी सीमा के साथ-साथ जाती है और आरंभिक बिन्दु "क" पर मिलती है।

[सं० 19/38/80 सी०एल०]

Now Delhi, the 16th July, 1981

S.O. 2084.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur-1 or at the Office of the Collector, Bilaspur (Madhya Pradesh) or at the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-1, within ninety days from the date of publication of this notification.

SCHEDULE

Rajgamar North Extension Block
Korba Coalfield
District Bilaspur (Madhya Pradesh)

Drawing No. C-1(E)/III/DR/156—0680

Dated : 12-6-80.

(Showing land notified for prospecting)

Sl. No.	Village	Halka No.	Kbewat No.	Tahsil	District	Area in acre	Remarks
1.	Kesla	19	108	Katghora	Bilaspur	1450.00	Part
2.	Gorma	19	..	-do-	-do-	2760.00	Full
	*(U.S.)						
3.	Tewanara	19	..	-do-	-do-	840.00	Full
	*(U.S.)						
Total Area : 5050.00 acres (approximately)							
OR 2043.665 hectares (approximately)							

*(U.S.) stands for un-surveyed

Boundary description :

- A—B Line passes along the northern boundary of Gorma (U.S.) and meets at point 'B'.
- B—C Line passes along the western boundary of village Tewanara (U.S.) and meets at point 'C'.
- C—D Line passes along the northern boundary of village Tewanara (U.S.) and meets at point 'D'.
- D—E Line passes along the common boundary of villages Tewanara (U.S.) and Mouhar (U.S.) and meets at point 'E'.
- E—F—G Line passes along the southern boundary of villages Tewanara (U.S.), Gorma (U.S.) and partly along Kesla village which is also a northern boundary of Rajgamar Block (Korba Coalfield) acquired under section 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. notification No. 2989 dated 7-10-1963 and meets at point 'G'.
- G—H Line passes through village Kesla and meets at point 'H'.
- H—A Line passes along the common boundary of villages Bela, Kesla and Gorma and meets at the starting point 'A'.

[No. 19/38/80-CL]

का० जा० 2085.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अधिप्राप्त किए जाने की संभावना है ;

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (घर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वक्षण करने के अपने धाशय की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण सेन्ट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) दरभंगा हाउस, रांची के कार्यालय में था उपायुक्त, पलामू (बिहार) के कार्यालय में प्रचका कोयला नियंत्रक, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है ।

इस अधिसूचना के अधीन आने वाली भूमि में हितबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य वस्तुओं को, इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी, सेन्ट्रल कोलफील्ड्स लिमिटेड, दरभंगा हाउस, रांची को भेजेंगे ।

अनुसूची

मेराल खण्ड

(डाल्टेनगंज कोयला क्षेत्र)

रेखांक सं० राजस्व/40/81

तारीख : 19-3-81

(जिसमें पूर्वक्षण के लिए अधिसूचित भूमि वर्णित की गई है)

क्रम सं०	ग्राम	धाना	धाना सं०	जिला	क्षेत्र	टिप्पणियाँ
1.	गोल्हाना	पाटन	189	पलामू		भाग
2.	सखुआ	"	191	"		"
3.	बटसारा	"	203	"		"
4.	झारीनिम्ला	"	204	"		"
5.	मेराल	"	205	"		पूर्ण
6.	भोंगा	"	206	"		भाग
7.	सिंगराहा खूर्द डाल्टेनगंज	"	194	"		"
8.	सिंगराहा कला	"	195	"		"
9.	टिकुलिया	"	196	"		"
10.	जोन्ड	"	199	"		"

कुल क्षेत्रफल— 3425.00 एकड़ (लगभग)

या 1388.02 हेक्टर (लगभग)

सीमा-वर्णन :

क-ख रेखा पाटन धाना के बटसारा ग्राम में से होकर और डाल्टेनगंज धाना के सिंगराहा कला, सिंगराहा खूर्द, टिकुलिया ग्रामों में से होकर जाती है ।

ख-ग रेखा डाल्टेनगंज धाना के टिकुलिया और जोन्ड ग्रामों में से होकर जाती है ।

ग-घ रेखा डाल्टेनगंज धाना के जोन्ड ग्राम में से होकर फिर पाटन धाना के मेराल, भोंगा, गोल्हाना ग्रामों में से होकर जाती है ।

घ-क रेखा पाटन धाना के गोल्हाना, सखुआ और बटसारा ग्राम में से होकर जाती है (जो कठालिया खण्ड की भी भागल: सासी सीमा है और धारमिक बिन्दु "क" पर मिलती है ।

[सं० 19/14/81-सी०एल]

S.O. 2085.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi, or at the Office of the Deputy Commissioner, Palamau (Bihar), or at the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Central Coalfields Limited, Darbhanga House, Ranchi within 90 days from the date of publication of this notification.

SCHEDULE

Meral—Block
(Daltonganj Coalfield)

Drg. No. Rev/40/81
Dated : 19-3-81
(Showing lands notified for prospecting)

Sl. Village No.	Thana	Thana No.	District	Area	Remarks
1. Golhana	Patan	189	Palamau		Part
2. Sakhua	-do-	191	-do-		-do-
3. Batsara	-do-	203	-do-		-do-
4. Jharinmla	-do-	204	-do-		-do-
5. Meral	-do-	205	-do-		Full
6. Bhonga	-do-	206	-do-		Part
7. Singraha Khurd Daltonganj	-do-	194	-do-		-do-
8. Singraha Kalan	-do-	195	-do-		-do-
9. Tikuliya	-do-	196	-do-		-do-
10. Jonr	-do-	199	-do-		-do-

Total Area—3425.00 acres (approximately)
or 1386.02 hectares (approximately)

Boundary description :

- A—B line passes through village Batsara of thana Patan and through villages Singraha Kalan, Singraha Khurd, Tikuliya of thana Daltonganj.
- B—C line passes through villages Tikuliya and Jonr of thana Daltonganj.
- C—D line passes through village Jonr of thana Daltonganj then through villages Meral, Bhonga, Golhana, of thana Patan.
- D—A line passes through villages Golhana, Sakhua and Batsara of thana Patan which is also the part common boundary of Kathautia block and meets at starting point 'A'.

[No. 19/14/81-CL]

क्र० अ० 2085.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाख्य अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण बैस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) कोल एस्टेट, सिविल लाइन्स, नागपुर 440001 के कार्यालय में या कलकत्ता चन्द्रपुर (महाराष्ट्र) के कार्यालय में अथवा कोयला निर्यातक, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है ।

इस अधिसूचना के अधीन आने वाली भूमि में हितबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी, बैस्टर्न कोलफील्ड्स लिमिटेड, कोल एस्टेट, सिविल लाइन्स, नागपुर-440001 को भेजेंगे ।

अनुसूची

पद्मपुर ब्लाक

बर्धा बैली कोलफील्ड

रेखाचित्र सं० गी०-1 (ई०) III/जे०आर/180-1280

तारीख 26-12-80

(जिसमें पूर्वेक्षण करने के लिए अधिसूचित भूमि दर्शित की गई है)

सं०	ग्राम का नाम	पटवारी सर्किल सं०	तहसील	जिला	हैक्टरों में क्षेत्र	टिप्पणियां
1.	पद्मपुर	11	चन्द्रपुर	चन्द्रपुर	231.01	भाग
2.	कितादी	11	"	"	66.97	"
3.	मिनगांव	11	6	6	145.69	"
4.	मिन्हाला	11	"	"	4.19	"
5.	चन्दावा सुर्वा (खैरगांव)	01	"	"	12.30	"
6.	कान्धी मालगुजारी	10	"	"	109.37	"
7.	कान्धी चेक	10	"	"	5.44	"
8.	दुर्गापुर	10	"	"	147.05	"

कुल क्षेत्र 722.023 हैक्टर (लगभग)

या 1784.16 एकड़ (लगभग)

सीमा वर्णन

क-ख रेखा हरह नदी के पूर्वी किनारे से प्रारम्भ होती है और कितादी ग्राम में से होकर जाती है तथा उसी ग्राम में बिन्दु "ख" पर मिलती है।

ख-ग रेखा कितादी, पद्मपुर ग्रामों में से होकर जाती है, लोक निर्माण विभाग की तारोबा-चन्द्रपुर सड़क पार करती है और पद्मपुर, मिन्हाला और दुर्गापुर की सामान्य सीमा पर बिन्दु "ग" पर मिलती है।

ग-घ रेखा मिन्हाला ग्राम में से होकर जाती है और फिर दुर्गापुर ग्राम में से होकर आगे बढ़ती है तथा दुर्गापुर और मिन्हाला ग्रामों की सामान्य सीमा पर बिन्दु "घ" पर मिलती है।

घ-ङ रेखा मिन्हाला और दुर्गापुर ग्रामों की सामान्य सीमा के साथ-साथ जाती है और दुर्गापुर ब्लाक का (जिसे कोयला धारक क्षेत्र) (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 की उपधारा (1) के अधीन अर्जित किया गया है, (देखिए का० आ० सं० 450 (अ) तारीख 4-8-79) पूर्वी सीमा पर बिन्दु "ङ" पर मिलती है।

ङ-च रेखा दुर्गापुर ग्राम में से होकर जाती है जो दुर्गापुर ब्लाक की जिसे कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 की उपधारा (1) के अधीन अर्जित किया गया है। [देखिए का० आ० सं० 450 (अ) तारीख 4-8-79] उत्तरी सीमा भी है और पद्मपुर और दुर्गापुर ग्रामों की सामान्य सीमा पर बिन्दु "च" पर मिलती है।

च-छ रेखा दुर्गापुर ग्राम में से होकर जाती है जो दुर्गापुर ब्लाक की जिसे कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 की उपधारा (1) के

अधीन अर्जित किया गया है। [देखिए का० आ० सं० 450 (अ) तारीख 4-8-79] उत्तरी सीमा भी है और बिन्दु "छ" पर मिलती है।

छ-ज-स रेखा दुर्गापुर ग्राम में से होकर जाती है जो दुर्गापुर ब्लाक जिसे कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 की उपधारा (1) के अधीन अर्जित किया गया है। [देखिए का० आ० सं० 450 (अ) तारीख 4-8-79] की पश्चिमी सीमा भी है और बिन्दु "स" पर मिलती है।

ज-ण रेखा दुर्गापुर और कान्धी चेक ग्रामों में से होकर जाती है और लोक निर्माण विभाग की चन्द्रपुर-तारोबा सड़क की पूर्वी सीमा पर बिन्दु "ण" पर मिलती है।

अ-ट रेखा लोक निर्माण विभाग की चन्द्रपुर कांछा चेक और दुर्गापुर ग्रामों में से होकर तारोबा सड़क के पूर्व की ओर से जाती है और बिन्दु "ट" पर मिलती है।

ट-ठ रेखा दुर्गापुर ग्राम में से होकर जाती है और दुर्गापुर तथा कान्धी मालगुजारी ग्रामों की सामान्य सीमा पर मोटाबाट नाले के मध्य स्थान में बिन्दु "ठ" पर मिलती है।

ठ-ड रेखा कान्धी मालगुजारी मिनगांव और चन्दावा सुर्वा (खैरगांव) ग्रामों में से होकर जाती है और हरह नदी के वक्षिण की ओर बिन्दु "ड" पर मिलती है।

ड-क रेखा चन्दावा सुर्वा (खैरगांव) मिनगांव, कितादी ग्रामों में से होकर जाती है जो हरह नदी का वक्षिण भाग भी है और आरम्भिक बिन्दु "क" पर मिलती है।

[(सं० 19/19/81-सी०एल)]

S.O. 2086.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the Office of the Western Coalfields Limited (Re-

venue Section), Coal Estate, Civil Lines, Nagpur-440001 or at the Office of the Collector, Chandrapur (Maharashtra) or at the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Revenue Officer, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440001 within a period of ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

Padmapur Block

Wardha Valley Coalfield

District Chandrapur (Maharashtra)

Drg. No. C-1(E) III/JR/180-1280

Dated 26-12-80

(Showing land notified for prospecting)

Sl. No.	Name of Village	Patwari circle No.	Tahsil	District	Area in hectares	Remarks
1	2	3	4	5	6	7
1.	Padmapur	11	Chandrapur	Chandrapur	231.01	Part
2.	Kitadi	11	"	"	66.97	"
3.	Mingaon	11	"	"	145.69	"
4.	Sinhala	11	"	"	4.19	"
5.	Chandala Surla (Khaurgaon)	10	"	"	12.30	"
6.	Kondhi Malgajair	10	"	"	109.37	"
7.	Kondhi Check	10	"	"	5.44	"
8.	Durgapur	10	"	"	147.05	"

Total Area : 722.023 hectares (approximately)

OR 1784.16 acres (approximately)

Boundary description :

- A—B Line starts from eastern bank of the Erai river and passes through the village Kitadi and meets in the same village at point "B".
- B—C Line passes through villages Kitadi, Padmapur, crosses the P.W.D. Taroba-Chandrapur road and meets at the common boundary of villages Padmapur, Sinhala and Durgapur at point "C".
- C—D Line passes through village Sinhala and then proceeds through village Durgapur and meets on common boundary of villages Durgapur and Sinhala at point "D".
- D—E Line passes along the common boundary of villages Sinhala and Durgapur and meets on the eastern boundary of Durgapur Block (acquired under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) vide S.O. No. 450(E) dated 4-8-79) at point "E".
- E—F Line passes through village Durgapur which is also a northern boundary of Durgapur Block (acquired under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) vide S. O. No. 450 (E) dated 4-8-79) and meets on the common boundary of villages Padmapur and Durgapur at point "F".
- F—G Line passes through village Durgapur which is also a northern boundary of Durgapur Block (acquired under

sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) vide S.O. No. 450 (E) dated 4-8-79) and meets at point "G".

- G—H—J Line passes through village Durgapur which is also the western boundary of Durgapur Block (acquired under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) vide S.O. No. 450 (E) dated 4-8-79) and meets at point "I".
- I—J Line passes through villages Durgapur and Kondhi Check and meets on the eastern boundary of P.W.D. Chandrapur—Taroba Road at point "J".
- J—K Line passes through villages Kondhi Check and Durgapur along the eastern side of the P.W.D. Chandrapur—Taroba road and meets at point "K".
- K—L Line passes through village Durgapur and meets on the common boundary of villages Durgapur and Kondhi Malgajair in the central point of Motaghat Nalla at point "L".
- L—M Line passes through villages Kondhi Malgajair, Mingaon and Chandala Surla (Khaurgaon) and meets on the southern side of the river Erai at point "M".
- M—A Line passes through villages Chandala Surla (Khaurgaon), Mingaon, Kitadi which is also the southern side of river Erai and meets at the starting point "A".

[No. 19/19/81-CL

नई दिल्ली, 16 जुलाई, 1981

का० भा० 2087:—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्थ और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वोक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण सेन्ट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) दरभंगा हाउस, रांची

के कार्यालय में या उपयुक्त हजारीबाग (बिहार) के कार्यालय में प्रेषित कोयला नियंत्रक, 1, काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है ;

इस अधिसूचना के अधीन आने वाली भूमि में दिनांक वर्षा अर्द्ध, उक्त अधिनियम की धारा 13 की उपधारा (7) में निविष्ट गयी वक्तों, बाटों और अन्य दस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख में 90 दिनों के भीतर राजस्व अधिकारी, सेन्ट्रल कोलफील्ड्स लिमिटेड, दरभंगा हाउस, रांची को भेजेंगे ।

अनुसूची

मुगिया खण्ड

(पश्चिमी बोकारो कोयला क्षेत्र)

रेखांक न० 12/81

तारीख 18-4-1981

जिसमें पूर्वोक्षण करने के लिए अधिसूचित भूमि दर्शाई की गई है ।

क्रम सं०	ग्राम	खाना	खाना सं०	जिला	क्षेत्र	टिप्पणियाँ
1.	मुगिया	सांडू	177	हजारीबाग	960.00	प्रायः

कुल क्षेत्रफल : 960.00 एकड़ (लगभग)

388.50 हेक्टर (लगभग)

सीमा वर्णन :-

क-ख रेखा नाला की भागत. मध्य रेखा के साथ-साथ जाती है (जो कर्मा और मुगिया ग्रामों की भागत. साझी सीमा और बुराधर और मुगिया ग्रामों की साझी सीमा है) और बिन्दु "ख" पर मिलती है ।

ख-ग रेखा दामोदर नदी की मध्य रेखा के साथ-साथ जाती है (जो मुगिया और कर्मा, मुगिया और गोबरवाहा, मुगिया और हाहुआ ग्रामों की साझी सीमा तथा मुगिया और लोधमा ग्रामों की भागत. साझी सीमा है) और बिन्दु "ग" पर मिलती है ।

ग-घ-ङ-च

च रेखाएं दामोदर नदी में से होकर मुगिया ग्राम में से होकर जाती

हैं (जो मुगिया कोयला खान की पट्टा घुट सीमा के साथ साझी सीमा है) और बिन्दु "घ" पर मिलती है ।

च-छ रेखा दामोदर नदी की भागत. मध्य रेखा के साथ-साथ जाती है (जो लोधमा और मुगिया ग्रामों की भागत. साझी सीमा है) और बिन्दु "छ" पर मिलती है ।

छ-ज रेखा नाला की भागत. मध्य रेखा के साथ-साथ जाती है (जो मुगिया और कर्मा हुन्डी गांवों की भागत. साझी सीमा है) और बिन्दु "ज" पर मिलती है ।

ज-क रेखा मुगिया ग्राम में से होकर जाती है और सारम्भिक बिन्दु "क" पर मिलती है ।

[सं० 19/20/81-सी०एम०]

स्वर्ण सिंह, अवर सचिव

17 July 1981

S.O. 2087 :—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan of the area covered by this notification can be inspected in the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi, or in the Office of the Deputy Commissioner, Hazaribagh (Bihar), or in the Office of the Coal Controller, 1, Council House Street, Calcutta;

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Central Coalfields Limited, Darbhanga House, Ranchi, within 90 days from the date of publication of this notification.

SCHEDULE

Sugia Block

(West Bokaro Coalfield)

Drg. No. 42/81

Dated 18-4-1981

(Showing lands notified for prospecting)

Serial Number	Village	Thana	Thana Number	District	Area	Remarks
1.	Sugia	Mandu	177	Hazaribagh	960.00	Part

Total Area:— 960.00 acres (approximately)
or 388.50 hectares (approximately)

Boundary description:—

- A--B line passes along the part central line of Nala (which forms part common boundary of villages Karma and Sugia and common boundary of villages Burakhap and Sugia) and meets at point 'B'.
- B--C line passes along the part central line of Damodar River (which forms common boundary of villages Sugia and Kaitha Sugia and Gobardaha, Sugia and Hahua and part common boundary of villages Sugia and Lodhma) and meets at point 'C'.
- C--D--E--F lines pass through Damodar River, through village Sugia (which forms common boundary with the lease hold boundary of Sugia Colliery) and meets at point 'F'.
- F--G line passes along the part central line of Damodar River (which forms part common boundary of villages Lodhma and Sugia) and meets at point 'G'.
- G--H line passes along part central line of Nala (which forms part common boundary of villages Sugia and Barki dundi) and meets at point 'H'.
- H--A line passes through village Sugia and meets at starting point 'A'.

[No. 19/20/81-CL]

SWARAN SINGH, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 17 जुलाई, 1981

का०आ० 2088.—अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम 1956 (1956 का 25) की धारा 4 के खण्ड (इ) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री एम०एस०सिद्धू, सचिव, भारत सरकार स्वास्थ्य और परिवार कल्याण मंत्रालय, नई दिल्ली को श्री कृपा नारायण जिन्हाणे त्यागपत्र दे दिया है, के स्थान पर अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का सदस्य मनोनीत करती है और भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय की 24 दिसम्बर, 1977 की अधिसूचना संख्या बी० 16011/1/76-एम०ई० (पी०जी०) में निम्नलिखित और संशोधन करती है :

उक्त अधिसूचना में प्रविष्टि-2 के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात् —

"श्री एम०एस० सिद्धू,

सचिव,

स्वास्थ्य और परिवार कल्याण मंत्रालय,

नई दिल्ली।"

[स० बी०-16011/2/78-एम०ई० (पी०जी०)]

MINISTRY OF HEALTH AND FAMILY WELFARE

New Delhi, the 17th July, 1981

S.O. 2088.—In pursuance of clause (c) of section 4 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby nominates Shri S. S. Sidhu, Secretary to the Government of India, Ministry of Health and Family Welfare, New Delhi, to be a member of the All India Institute of Medical Sciences, New Delhi, vice Shri Kripa Narain resigned and makes the following, further amendment in the notification of the Government of India in the Ministry of Health and Family Welfare No. V-16011/1/76-ME (PG), dated the 24th December, 1977 :

In the said notification, for entry 2, the following entry shall be substituted namely :—

"2. Shri S. S. Sidhu, Secretary, Ministry of Health and Family Welfare, New Delhi."

[No. V. 16011/2/78-M.E. (P.G.)]

क्र०अ० 2089—स्नातकोत्तर चिकित्सा शिक्षा और अनुसंधान संस्थान चंडीगढ़ अधिनियम, 1966 (1966 का 51) की धारा 5 के खण्ड (घ) के अनुसरण में, केन्द्रीय सरकार एतद्वारा श्री एस०एस० सिद्धू सचिव, भारत सरकार, स्वास्थ्य और परिवार कल्याण मंत्रालय, नई दिल्ली को श्री कृपा नारायण, जिन्होंने त्यागपत्र दे दिया, न के स्थान पर स्नातकोत्तर चिकित्सा शिक्षा और अनुसंधान संस्थान, चंडीगढ़ का सदस्य मनोनीत करती है और भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय की 30 जून, 1977 की अधिसूचना संख्या बी०-17013/1/77-एम०ई० (पी०जी०) में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिसूचना में प्रविष्टि 3 के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात् :—

"3 श्री एस०एस० सिद्धू, स्वास्थ्य और परिवार कल्याण मंत्रालय के प्रतिनिधि।"

[सं० बी० 17011/3/80-एम०ई० (पी०जी०)]

पी०सी० जैन, अवर सचिव

S.O. 2039—In pursuance of clause (d) of section 5 of the Post-Graduate Institute of Medical Education and Research Chandigarh Act, 1966 (51 of 1966), the Central Government hereby nominates Shri S. S. Sidhu, Secretary to the Government of India, Ministry of Health and Family Welfare, New Delhi, to be a member of the Post-Graduate Institute of Medical Education and Research, Chandigarh vice Shri Kripa Narain resigned and makes the following amendment in the notification of the Government of India in the Ministry of Health and Family Welfare Notification No. V.17013/1/77-ME(PG), dated the 30th June, 1977 namely:—

In the said notification, for entry 3, the following entry shall be substituted namely:—

"3. Shri S.S. Sidhu Representative of the Secretary to the Government of Ministry of Health and India, Family Welfare."

[No.V.17011/3/80-ME(PG)]

P.C. JAIN, Under Secy.

नौबहन और परिवहन मंत्रालय

(नौबहन पक्ष)

नई दिल्ली, 13 जुलाई, 1981

क्र०आ० 2090—राष्ट्रीय नौबहन बोर्ड नियम, 1960, के नियम 3 के साथ पठित व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 4 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा नीचे लिखे व्यक्तियों को राष्ट्रीय नौबहन बोर्ड के सदस्य नियुक्त करती है, अर्थात् :—

1. श्री एस० डी० गागाँकर
2. श्री डोममेट्टी नागेश्वर राय

[सं० एन० डब्ल्यू०/एम एस बी-1/80-एमएफ]

वी०एन०शर्मा, अवर सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Shipping Wing)

New Delhi, the 13th July, 1981

S.O. 2090.—In exercise of the powers conferred by section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with rule 3 of the National Shipping Board Rules, 1960, the Central Government hereby appoints the following as members of the National Shipping Board namely :—

1. Shri S. D. Gaonkar,
2. Shri Dommeti Nageswara Rao.

[No. SW/MSB-1/80-MF]

V. N. SHARMA, Under Secy.

संस्कृति विभाग

(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 4 मार्च, 1980

क्र०आ० 2091—केन्द्रीय सरकार ने तारीख 27 जनवरी, 1979 को भारत के राजपत्र, भाग II, खण्ड 3, उपखण्ड (ii) में प्रकाशित, भारत सरकार के संस्कृति विभाग, भारतीय पुरातत्व सर्वेक्षण की अधिसूचना द्वारा उक्त अधिसूचना की अनुसूची में विनिर्दिष्ट प्राचीन स्थल को, राष्ट्रीय महत्व का घोषित किए जाने के अपने आशय की बाबत दो मास की सूचना दी थी और प्राचीन स्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना की एक प्रति उक्त स्थल के पास सहज दृश्य स्थान पर विपका दी गई थी ;

और उक्त राजपत्र जतता को 31 जनवरी, 1979 को उपलब्ध करा दिया गया था,

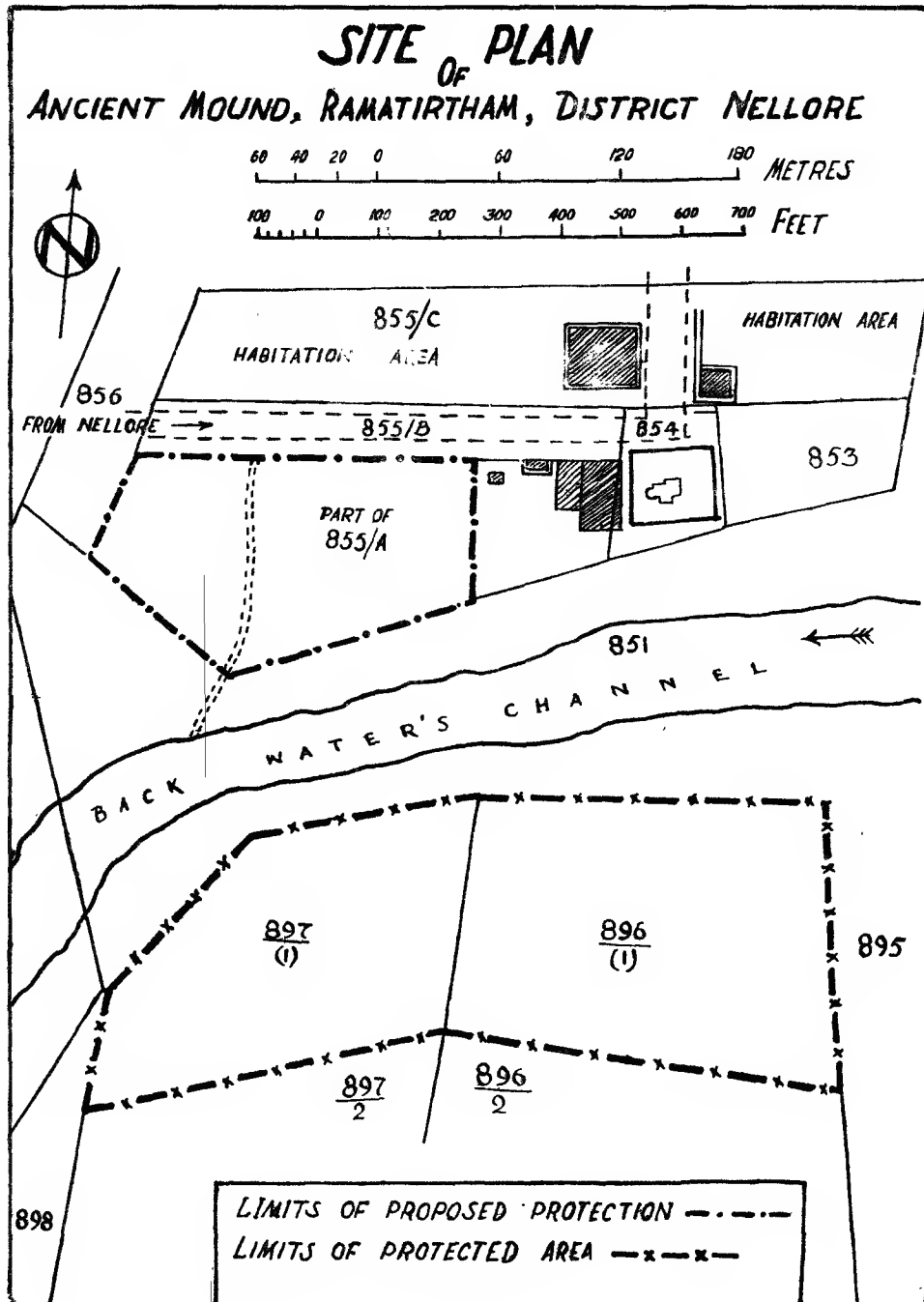
और ऐसी घोषणा करने के संबंध में जतता से कोई आपत्तियां प्राप्त नहीं हुई हैं।

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि नीचे अनुसूची में विनिर्दिष्ट प्राचीन स्थल, राष्ट्रीय महत्व का है।

अनुसूची

राज्य	जिला	तहसील	परिक्षेत्र	स्थल का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले राजपत्र प्लॉट संख्यांक	क्षेत्र	सीमा	स्थायित्व	टिप्पणी
1	2	3	4	5	6	7	8	9	10
मध्य प्रदेश	नेलोर	कोवूर	रामतीर्थम (बिर्नी का डैमलेट)	नीचे दिए गए रेखांक में दिखाए गए सर्वेक्षण प्लॉट सं० 855 के भाग में समाविष्ट प्राचीन टीला	नीचे दिए गए रेखांक में दिखाए गए सर्वेक्षण प्लॉट सं० 855 क का भाग	1,672 हेक्टर	उत्तर में सर्वेक्षण विन्यास प्लॉट सं० 8551/ख बोर्ड पूर्व में : सर्वेक्षण (प्राइवेट) प्लॉट सं० 8551/क का शेष भाग दक्षिण में : सर्वेक्षण प्लॉट सं० 851 पश्चिम में : सर्वेक्षण प्लॉट सं० 856		

स्थल रेखांक



DEPARTMENT OF CULTURE
(Archaeological Survey of India)

New Delhi, the 4th March, 1980

S.O. 2091.—Whereas by a notification of the Government of India in the Department of Culture, Archaeological Survey of India, No. S.O. 324, dated the 15th January, 1979, published in Part II, section 3, sub-section (ii) of the Gazette of India, dated the 27th January, 1979, the Central Government gave two months' notice of its intention to declare the ancient site specified in the Schedule to the said notification to be of national importance, and a copy of the said

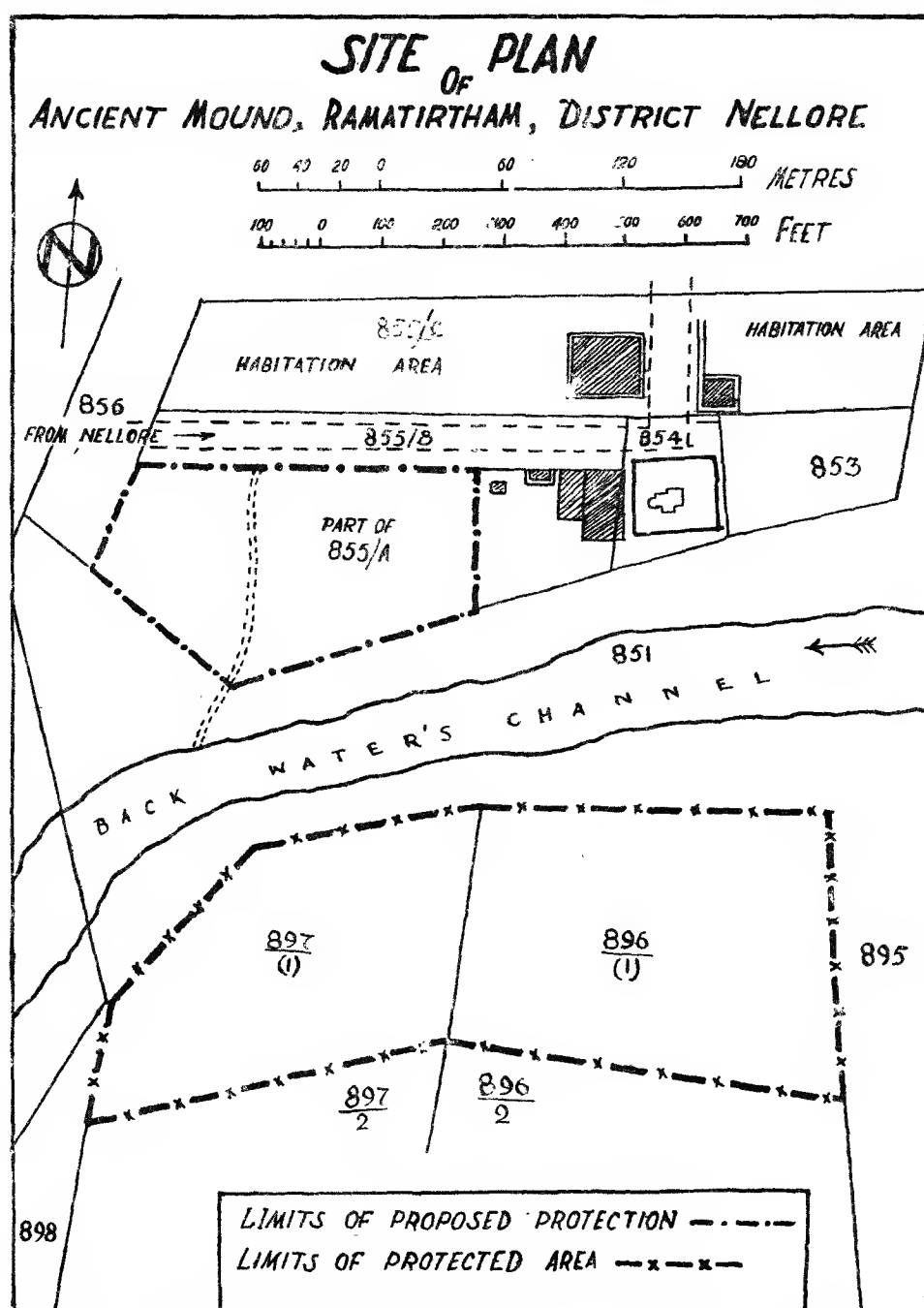
notification was affixed in a conspicuous place near the said site as required by sub-section (i) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) (hereinafter referred to as the said Act);

And, whereas, no objections have been received from the public to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of the Section 4 of the said Act, the Central Government hereby declares the said ancient site specified in the schedule below to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of site	Revenue plot number to be including under protection	Area	Boundaries	Ownership	Re-marks
Andhra Pradesh	Nellore	Kovur	Ramatirtham (Hamlet of Varini)	Ancient mound comprised in part of (survey plot No. 855 A as shown in the plan reproduced below.	Part of Survey plot No. 855/A as shown in the plan reproduced below.	1.6.72 hectares	North: Survey plot No. 855/8 East: Remaining portion of survey plot No. 855/A. South: Survey plot No. 851. West: Survey plot No. 856.	Endowment board (Private)	



सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली, 13 जुलाई, 1981

क्र. 2092 :—फिल्म सलाहकार बोर्ड के कार्यकरण से संबंधित विनियमों के नियम 14 (ख) के उपबंधों के प्रवर्गा प्रवर्तन अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इसके साथ अगले अनुशुची के कालम 2 में दी गई फिल्म को उसके सभी भारतीय भाषाओं के संस्करणों सहित, जिसका विवरण उसके सामने उपर अनुसूची के कालम 6 में दिया हुआ है, उस दृश्य को निबाल देने के पश्चात् जिसमें दुर्घटना में अंधा हुआ व्यक्ति अस्पताल में ले जाए जाने के बजाय अपनी मा के पास भागता है, रीकृता करता है।

क्रम सं०	फिल्मों का नाम	फिल्म की लंबाई (मीटर में)	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षासंबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या दार्शनिक फिल्म है।
1	2	3	4	5	6

अनुसूची

1.	अंधेरा उजाला	1885 फुट (574.5 मीटर लगभग)	श्री तजेंद्र गुप्ता, तजेंद्र फिल्मस, मार्कट जमुनाप्रसाद शर्मा, शर्मा निवास, न्यू प्रभा देवी रोड, बम्बई-400025.	—	"दार्शनिक" फिल्म जागरूक प्रदर्शन के लिए।
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[फाइल संख्या 602/1/81-एफ० डी]

करमोरी लाल, हैस्क अधिकारी

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi, the 13th July, 1981

S.O. 2092 :—In exercise of the powers vested under the provisions of Rule 14(b) of the Regulations relating to the working of the Film Advisory Board, the Central Government hereby approves films specified in column 2 of the Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said schedule, after the deletion of the scene where the person blinded by the accident rushes to his mother instead of being taken to a hospital:

SCHEDULE

Sl. No.	Title of the film	Length of the film in mts.	Name of the applicant	Name of the Producer	Brief synopsis whether a scientific film or for educational purposes of a film dealing with news current event, documentary film.
1	2	3	4	5	6
1.	Andhera Ujala.	1885 ft. (574.5 mts. approx.)	Shri Tajendra Gupta Tajendra Films, C/o Jamunaprasad Sharma Sharma Nivas, New Prabhadevi Road, Bombay-400025.	—	Documentary for general release.

[File No. 602/1/81-FD]

KASHMIRI LAL, Desk Officer

पूँर्त और पुनर्वासि मंत्रालय

(पुनर्वासि विभाग)

नई दिल्ली, 6 जुलाई, 1981

का०आ० 2093:—विस्थापित व्यक्ति (दावा) पूरक अधिनियम, 1954 (1954 का 12) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा पुनर्वासि विभाग के उप मुख्य बंदोबस्त आयुक्त श्री एच०जे०एल० गोस्वामी को उक्त अधिनियम के अधीन या उसके द्वारा उप मुख्य बंदोबस्त आयुक्त को सौंपे गए कार्यों का निष्पादन करने के लिए उप मुख्य बंदोबस्त आयुक्त के रूप में नियुक्त करती है।

[सं० 1(2)/वि०से०/81-एस०एस०-ii(क)]

MINISTRY OF SUPPLY AND REHABILITATION

(Department of Rehabilitation)

New Delhi, the 6th July, 1981

S.O. 2093.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri H. J. L. Goswami, Deputy Chief Settlement Commissioner in the Department of Rehabilitation as Deputy Chief Settlement Commissioner for the purpose of performing the functions assigned to such Deputy Chief Settlement Commissioner by or under the said Act.

[No. 1(2) Spl. Cell./81-SS II(A)]

का०आ० 2094:—निष्कांत सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए; केन्द्रीय सरकार इसके द्वारा पुनर्वासि विभाग में उप मुख्य बंदोबस्त आयुक्त, श्री एच०जे०एल० गोस्वामी को, उक्त अधिनियम के द्वारा या उसके अधीन उप महा अभिरक्षक को सौंपे गए कार्यों का निष्पादन करने के लिए, उप महा अभिरक्षक, निष्कांत सम्पत्ति के रूप में नियुक्त करती है।

[सं० 1 (2)/वि०से०/81-एस०एस०-2 (ग)]

S.O. 2094.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Shri H.J.L. Goswami, Deputy Chief Settlement Commissioner, in the Department of Rehabilitation as Deputy Custodian General of Evacuee Property for the purpose of performing the functions assigned to such Deputy Custodian General by or under the said Act.

[No. 1(2)/Spl. Cell./81-SS II(C)]

का०आ० 2095:—विस्थापित व्यक्ति (प्रतिभार तथा पुनर्वासि) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा पुनर्वासि विभाग के उप मुख्य बंदोबस्त आयुक्त, श्री एच०जे०एल० गोस्वामी को, उक्त अधिनियम द्वारा या उसके अधीन उप मुख्य बंदोबस्त आयुक्त को सौंपे गए कार्यों का निष्पादन करने के लिए उप मुख्य बंदोबस्त आयुक्त के रूप में नियुक्त करती है।

[सं० 1(2)/वि०से०/81-एस० एस० 2 (ब)]

एन० एस० वाधवानी, अवर सचिव

S.O. 2095.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri H. J. L. Goswami, Deputy Chief Settlement Commissioner in the Department of Rehabilitation, as Deputy Chief Settlement Commissioner for the purpose of performing the functions assigned to such Deputy Chief Settlement Commissioner by or under the said Act.

[No. 1(2)/Spl. Cell./81-SS. II(F)]

N. M. WADHAWANI, Under Secy.

भारतीय डाक तार विभाग

डाक महाड जलवा कार्यालय कोरल परिसर

त्रिवेन्द्रम, 6 जुलाई, 1981

का०आ० 2096:—यतः भारत के राजपत्र के भाग II, खंड 3, उपखंड (ii) दिनांक 1 दिसम्बर, 1979 में पृष्ठ 3426 पर प्रकाशित संचार मंत्रालय (डाक तार बोर्ड) सं० एस०ओ० 3901 दिनांक 18 मई, 1976 को भारत सरकार की अधिसूचना द्वारा केन्द्र सरकार ने विभागीय जांच (साक्षियों की उपस्थिति तथा दस्तावेज प्रस्तुतीकरण का प्रवर्तन) अधिनियम, 1972 (1972 का 18) की धारा 4 की उपधारा (1) के अधीन उस सरकार की शक्तियों का प्रयोग करने के लिए अन्वय के साथ अधोहस्ताक्षरी को भी विनिर्दिष्ट किया है।

और यतः अधोहस्ताक्षरी की यह राय है कि श्री पी० सुब्रह्मण्यम, अतिरिक्त विभागीय पैकर (जो इयूटी से हटाया गया है) सास्तमंगलम डाक घर, त्रिवेन्द्रम-10 के विरुद्ध विभागीय जांच के प्रयोजन से श्री पी० सुब्रह्मण्यम, शेलवर्मदिरम कुर्गोली, त्रिवेन्द्रम-695009, श्री पी० नागराजन शेलवर्मदिरम, कुर्गोली, त्रिवेन्द्रम-695009 श्री पी० अय्यप्पन, शेलवर्मदिरम कुर्गोली, त्रिवेन्द्रम-695009 और श्री एम० परमेश्वरन, शेलवर्मदिरम कुर्गोली, त्रिवेन्द्रम-695009 को साक्षियों के बतौर समन किया जाना आवश्यक है।

अतः अब, उक्त अधिनियम की धारा 4 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्न हस्ताक्षरकर्ता द्वारा श्री पी० मुद्दयन द्वारा श्री पी० मुद्दयन के विरुद्ध जांच के संबंध में उक्त अधिनियम की धारा 5 में विनिर्दिष्ट शक्तियों का प्रयोग करने के लिए, श्री एस० मुरलीधर वार्यर, वचन विकास अधिकारी, डाक महाध्यक्ष का कार्यालय, केरल परिमंडल, त्रिवेन्द्रम को जांच प्राधिकारी प्राधिकृत किया जाता है।

[स० सतर्कता/1/4-टी०बी० एस]

बी० एन० सिरिल, डाक महाध्यक्ष, केरल परिमंडल

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Office of the Postmaster-General, Kerala Circle

Trivandrum, the 6th July, 1981

S.O. 2096.—Whereas by the notification of the Government of India in the Ministry of Communications (Posts & Telegraphs Department) No. S.O. 3901 dated the 18th May, 1976 published in the Gazette of India Part II Section 3 Sub-section (ii) dated the 1st December, 1979 at Page 3426, the Central Government has specified among others the undersigned to exercise the powers of that Government under Sub-section (i) of Section 4 of Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972).

And whereas the undersigned is of the opinion that for the purposes of departmental inquiry against Shri P. Subbayyan, Extra Departmental Packer (under put off duty), Sasthamangalam P.O. Trivandrum-10, it is necessary to summon as witnesses S/Shri P. Subramonian, Selvamandiram, Kuriathi Trivandrum-695009, P. Nagarajan, Silvamandiram, Kuriathi Trivandrum-695009, and M. Parameswaran, Selvamandiram, Kuriathi, Trivandrum-695009.

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 4 of the said Act, the undersigned hereby authorise Shri S. Muraleedhara Warriar, Savings Development Officer, Office of the Postmaster-General, Kerala Circle, Trivandrum, Inquiry Authority to exercise the power in Section 5 of the said Act in relation to the inquiry against Shri P. Subbayyan.

[No. Vig./1/4-TV(S)]

V. N. CYRIL, Postmaster-General,
Kerala Circle**रेल मंत्रालय**

(रेलवे बोर्ड)

नई दिल्ली, 10 जुलाई, 1981

का०आ० 2097.— भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम IX की धारा 82-बी द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एम०बी० मजूमदार, संयुक्त तथा प्रतिरिक्त सेशन जज, थाणे को 24-4-1981 को मध्य रेलवे पर राखली अंकन के निकट सी०एम 15 हाउन तथा ब 90 ग्रप स्थानीय गाड़ियों की टक्कर के फलस्वरूप उत्पन्न सभी दावों का निपटारा करने के लिए, बाबा प्रायुक्त के रूप में नियुक्त करती है। उनका मुख्यालय थाणे में होगा।

[सं० 81/ई (ओ० II/1/4)]

हिम्मत सिंह, सचिव

रेलवे बोर्ड एवं भारत सरकार के पदेन संयुक्त सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 10th July, 1981

S.O. 2097.—In exercise of the powers conferred by Section 82-B of the Indian Railways Act, 1890 (Act IX of 1890), the Central Government hereby appoints Shri M. B. Mujumdar, Joint and Addl. Sessions Judge, Thane, as Claims Commissioner to deal with all the claims arising out of collision between CM 15 Dn and B 90Up Local Trains, near Raoli Junction on Central Railway, on 24-4-1981. His headquarters will be at Thane.

[No. 81/E(O)II/1/4]

HIMMAT SINGH, Secy.

Railway Board and ex-Officio Jt. Secy.

भ्रम मंत्रालय

भावेरा

नई दिल्ली, 16 जून, 1981

का०आ० 2098.—केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय खाद्य निगम, नैल्होर के प्रबंध-तंत्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है,

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है,

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री बी० प्रसाद राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिनियम के न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या डिस्ट्रिक्ट कैंबेरी वर्कर्स यूनियन, नैल्होर की भारतीय खाद्य निगम, नैल्होर द्वारा 25 मई, 1979 से 28 फरवरी, 1980 की अवधि के लिए निम्नलिखित कर्मचारियों को, जिन्हें राजा मोहन स्टोरेज डिपो (नैल्होर) में कार्य करने के लिए भेजा गया था, सबारी प्रभार की प्रतिपूर्ति करने की मांग न्यायोचित है? यदि हां, तो वे किस अनुसूची के हकदार हैं?

कर्मचारियों के नाम

- | | |
|-------------------------|-----------------------|
| 1. श्री जी० डेविड | 2. श्री जे० फ्रांसिस |
| 3. श्री कोल्हापुरी | 4. श्री एस० रमैया |
| 5. श्री शेख मस्तान (एन) | 6. श्री एन० कोटैया |
| 7. श्री शेख धारा | 8. श्री जे० वेंकप्पा |
| 9. श्री चन्द्रम्मा | 10. श्री रामचम्मा |
| 11. श्री पटनन मस्तान | 12. श्री मानराज |
| 13. शेख मस्तान | 14. श्री० बंकर रेड्डी |
| 15. श्री शेखमानसाहेब | 16. श्री एस० बीकैया |
| 17. श्री शेख कलेशा | 18. श्री शेख मोलसाहेब |
| 19. श्री वेङ्गा मस्तान | |

[सं० एन०-42012/3/81-एफ०सी०आई०/बी०-(IVए)]

MINISTRY OF LABOUR ORDERS

New Delhi, the 16th June, 1981

S.O. 2098.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Food Corporation of India, Nellore and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. Prasada Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the demand of the District Factory Workers Union, Nellore for reimbursement by the Food Corporation of India, Nellore of the Conveyance charges for the period from 25th May, 1979 to 28th February, 1980 to the undermentioned workmen for their being deputed to work at the Raja Open Storage Depot (Nellore) is justified? If so, to what relief are they entitled?

NAMES OF WORKMEN

1. Shri G. David
2. Shri J. Francis
3. Shri Kollapuri
4. Shri S. Ramalah
5. Shri Sk. Mastan (N)
6. Shri N. Kotaiah
7. Shri Sk. Basha
8. Shri J. Venkamma
9. Shri Chandramma
10. Shri Ramanamma
11. Shri Patnan Mastan
12. Shri Man Raju
13. Shri Sk. Mastan
14. Shri Venkureddy
15. Shri Sk. Mannesahab
16. Shri L. Venkalah
17. Shri Sk. Kalesha
18. Shri Sk. Moulisahab
19. Shri Pedda Mastan.

[No. L-42011/3/81-FCI/D-IV(A)]

NAND LAL, Desk Officer

नई दिल्ली, 29 जून, 1981

का०आ० 2099.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय जीवन बीमा निगम, हैदराबाद से सम्बद्ध एक औद्योगिक विवाद लियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्वेशित करना वांछनीय समझती है।

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री बी० प्रसाद राव होंगे, जिसका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या भारतीय जीवन बीमा निगम, हैदराबाद के प्रबंधन की श्री एम० सुरेन्द्र कुमार, स्टोर भण्डारी और टाइपिस्ट की सेवाएं 24 नवम्बर, 1980 से समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष का हकदार है?

[स० एल-17012/6/81-डी० IV(ए०)]

नन्द लाल, डेस्क अधिकारी

New Delhi, the 29th June, 1981

S.O. 2099.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Life Insurance Corporation of India, Hyderabad and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. Prasada Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Life Insurance Corporation of India, Hyderabad in terminating the services of Shri M. Surender Kumar, Store-Keeper-cum-Typist with effect from the 24th November, 1980 is justified? If not, to what relief is the workman concerned entitled?

[No. L-17012/6/81-B.IV(A)]

NAND LAL, Desk Officer

आदेश

नई दिल्ली, 26 जून, 1981

का०आ० 2100.—इससे उपाबद्ध अनुसूची में विनिर्दिष्ट औद्योगिक विवाद श्री शमशेर सिंह कंवर, पीठासीन अधिकारी, औद्योगिक अधिकरण धर्मशाला के समक्ष लम्बित है;

और उक्त श्री शमशेर सिंह कंवर की सेवाएं उपलब्ध नहीं रही।

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 33-अ की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एच०डी० कौठला होंगे और जिसका मुख्यालय नाहल में होगा और उक्त श्री शमशेर सिंह कंवर के समक्ष लम्बित उक्त विवाद से सम्बद्ध कार्यवाहियों को वापस लेती है और उसे श्री एच० डी० कौठला, पीठासीन अधिकारी, औद्योगिक अधिकरण, नाहल को इस निदेश के साथ प्रन्तरित करती है कि उक्त अधिकरण उमी प्रक्रम से आगे कार्यवाही करेगा जिस पर वे उसे प्रन्तरित की जाएं तथा विधि के अनुसार उसका निपटारा करेगा।

अनुसूची

क्रम सं० विवाद के पक्षकार औद्योगिक विवाद का निर्देश सं० और तारीख

1. हिन्दुस्तान साफ्टस लि० का प्रबंध-एल-29025/1/78-डी० III (बी) तब और उनके कर्मकार जिसका तारीख 18 नवम्बर, 1978। प्रतिनिधित्व सान्ट माइस लेबर यूनियन दरंग मंडी द्वारा किया जायगा।

[स० एल-29025/1/78-डी० III (बी)]

क० के० हाण्डा, अवर सचिव

ORDER

New Delhi, the 26th June, 1981

S.O. 2100.—Whereas the industrial dispute specified in the Schedule hereto annexed is pending before Shri Shamsher Singh Kanwar, Presiding Officer, Industrial Tribunal, Dharamsala;

And whereas, the services of the said Shri Shamsher Singh Kanwar are no longer available;

Now, therefore, in exercise of the powers conferred by Section 7A and Sub-section (1) of Section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri H.D. Kainthla shall be the Presiding Officer with headquarters at Nahar and withdraws the proceeding, in relation to the said dispute pending before the said Shri Shamsher Singh Kanwar and transfers the same to Shri H.D. Kainthla, Presiding Officer, Industrial Tribunal, Nahar, for the disposal of the said proceedings with the direction that the said Tribunal shall proceed with the proceedings from the stage at which it is transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Parties to the dispute	Reference No. & date of Industrial Dispute
1.	Management of Hindustan Salts Limited, Jaipur and their workmen represented by the Salt Mines Labour Union, Drang. Mandi.	L-29025/1/78-D.III(B). dated 18th November, 1978.

[No. L-29025/1/78-D.III(B)]

New Delhi, the 16th July, 1981

S.O. 2101.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Krishna Mines & Chemicals, Salem and their workmen, which was received by the Central Government on 7-7-1981.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.,

PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS

(Constituted by the Government of India)

Wednesday, the 24th day of June, 1981

Industrial Dispute No. 82 of 1981

[In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Shri Krishna Mines and Chemicals, Salem.]

BETWEEN

The workmen represented by
The General Secretary,

Mines, Mineral and Allied Industries National

Workers' Union, No. 30/D, Bhavani, Main Road,
Sankari-637303.

AND

The Manager, Sree Krishna Mines & Chemicals
No. 3, Sankari Main Road, Annathanapatty,
Salem, Pin : 636002.

REFERENCE :

Order No. L-29011/46/80 D.III.B., dated 30th October, 1980 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Monday, the 4th day of May, 1981 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru K. Chandru for Thiruvalargal Row and Reddy and E. Chandru, Advocates for the workmen and of Thiruvalargal Pathy and Sundaram, Advocates appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is an Industrial Dispute between the workmen and the Management of Shri Krishna Mines and Chemicals, Salem referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-29011/46/80-D.III.B, dated 30th October, 1980 of the Ministry of Labour, in respect of the following issue :

Whether the action of the management of Shri Krishna Mines & Chemicals, Salem in terminating the services with effect from 14-12-1979 of 21 workmen mentioned below and employed in Devanagoundanur Limestone Mines of the Company is justified? If not, to what relief the workmen concerned are entitled?

Sarvaswari

1. K. Poomalai
2. P. Kuppusami
3. K. Karuppannan
4. K. Karuppannan
5. M. Karuppannan
6. C. Karumalaigounder
7. G. Kandan
8. N. Kuppusami
9. K. Pachamuthu
10. R. Subramanian
11. C. Vellaian
12. A. Alagappan
13. N. Angamuthu
14. M. Nellappan
15. S. Muthusami
16. M. Kolandapayyan
17. P. Royappan
18. A. Ayyannar
19. A. Periaswami
20. K. Chinnapayyan
21. N. Chellamuthu

(2) Facts leading upto the dispute are as follows: The Management is Sree Krishna Mines and Chemicals, No. 3, Sankari Main Road, Annathanapatty, Salem-636002, Tamil Nadu. The Management was carrying on mining operations in the lime stone mines of Devanagoundanoor Village, Sankari Taluk, Salem District. The claim statement on behalf of the workers employed by the Management has been filed by the Secretary, Mines Mineral and Allied Industries National Workers Union, No. 30/D, Bhavani

Main Road, Sankari-637303, Tamil Nadu State. The present reference made by the Government of India, Ministry of Labour relates to 21 workers employed in Devannagoundanoor lime stone mines of the Management. As per the averment in paragraph (2) of the claim statement filed on behalf of the workers' inclusive of 21 workers listed in the reference, the Management had engaged about 30 workmen at Devannagoundanoor mines and that these workmen were working for over five years continuously with the Management. In paragraph (3) of the counter statement filed by the Management, it is stated that the 21 workmen mentioned in the reference are regular agriculturists engaged fully during agricultural season in their own fields and one or two days in a week or so they come for work during off the agricultural season and leave mines thereafter, without the control of the Management and hence the 21 persons referred to in the reference are not workmen of the Management coming within the purview of Section 2(s) of the Industrial Disputes Act, 1947 and, therefore, the present reference is incompetent and consequently these workmen would not be entitled to claim any relief either under Section 25-F or 25-H of the Industrial Disputes Act, 1947. Therefore, it is incumbent to find out whether all the 21 persons mentioned in the reference or any of them are workmen of the Management coming within the definition of Section 2(s) of the Industrial Disputes Act, 1947. In that view, the secondary question as to whether these workmen were employed for more than 5 years under the Management need not loom large at this stage. Suffice for me to refer to paragraph (3) of the Counter Statement filed by the Management, wherein the Management has specifically admitted that out of the 21 workmen mentioned in the order of reference, only 18 workers were borne on the rolls of the attendance register maintained by the Respondent-Management and that the other three workmen, namely workmen No. 10 R. Subramanian, No. 18 A. Ayyanar and No. 19A. Periasami were not engaged by the Management at any time. The Management is under obligation to maintain statutory registers prescribed under the Mines Act and regulations framed thereunder. The Manager of the Management has been examined as M.W. 1. In cross-examination, he has asserted that the Management have in fact maintained the prescribed statutory registers built for obvious reasons these registers are not produced before this Tribunal. Therefore, we are not in a position to find out if the claim of the Management that only 18 workers out of the 21 workers covered by the reference were employed by the Management. While the case of the Management at the time of filing of the counter statement was that only 18 out of the 21 persons had worked under the Management, M.W. 1 even in chief examination has stated that 19 out of the 21 workmen mentioned in the reference were employed by the Management. Ex. M-6 is the statement of the Management showing attendance particulars of the workmen employed from June, 1979 to October, 1979. But according to this statistics in Ex. M-6, only 18 workmen were employed by the Management. But the present version of the Manager of the Management M.W. 1 is that 19 workmen were employed by the Management. In the circumstances, the statement of particulars prepared and filed by the Management under Ex. M-6 cannot be accepted. On the other hand, there is the cogent evidence of W.W. 1 and W.W. 2 to the effect that the 21 persons mentioned in the reference were employed by the Management at Devannagoundanoor lime stone mines. The testimony of W.W. 1 and W.W. 2 has not been shaken at all in cross-examination to any extent. Therefore, even in the light of the evidence of W.W. 1, W.W. 2 and M.W. 1 it can be concluded that these 21 workmen were in fact employed by the Management. That apart, there are other compelling circumstances and documents to indicate that these 21 workmen were in fact employed by the Management. Ex. W-12 is the copy of the complaint signed by all the 21 workmen to the Sub-Inspector of Police, Sankari dated 15-11-1979. In Ex. W-12, these 21 workmen have clearly stated that they were under the employment of the Management for several years. Ex. W-13 is another letter written by these 21 workmen to the Management on 29-10-1979. On the same day, these 21 workmen have also addressed another letter under the original of Ex. W-14. In Exs. W-13 and W-14, these workmen clearly stated that they were employed by the Management and particularly in Ex. W-14, these 21 workmen have asserted that they were so employed by the Management for over 5 years. Significant to point out that the Management does not say that they have not received these communications under the original

of Exs. W-13 and W-14. Moreover, Ex. W-15 is the copy of the report signed by these 21 workmen to the Partner of Krishna Mines and these letters have been despatched under certificate of posting Ex. W-16. There is no whisper that the Management had not received the original of Exs. W-13, W-14 or W-15 signed by these 21 workmen. Thus it is obvious that the Management has not then challenged the claim of these 21 workmen to be employees under the Management during the relevant times. Ex. W-17 is also another complaint sent by these 21 workmen to the Director of Safety Mines, Oorgam, Karnataka State against the Management. Ex. W-1 is the letter from the Petitioner-Union to the Assistant Labour Commissioner (Central), Madras for taking up conciliation proceedings with regard to these 21 workmen. The Assistant Labour Commissioner (Central) acted on this report and initiated conciliation proceedings. Ex. M-5 is the explanation offered by the Management before the Conciliation Officer, Salem on 8-12-1979. Significantly, in Ex. M-5, the Management has not taken a plea that the 21 workmen referred to by the Union under Ex. W-9 were never employed by the Management. Ex. M-5 does not give details of the service of the several workmen employed by the Management. Therefore, the present stand of the Management is clearly an afterthought without much substance. On several occasions, the Conciliation Officer has requested the Petitioner-Union not to resort to any strike relating to these 21 workmen. The Petitioner-Union has also complained against the Management to the Director of Safety Mines, Oorgam and the 21 workmen had also joined to give a complaint under Ex. W-15. On an anxious and careful consideration of the entire evidence oral and documentary and the broad probabilities it can be easily held that the 21 persons referred to in the annexure to the order of Government of India, Ministry of Labour were employed by the Management and were workmen of the Management as contemplated under Section 2(s) of the Industrial Disputes Act, 1947.

(3) In paragraph (1) of the counter statement filed by the Management it is stated that since mining operations in the lime stone mines of Devannagoundanoor Village, Sankari Taluk, Salem District were discontinued with effect from 1-11-1979 and ever since the mines were closed, this Tribunal has no jurisdiction to go into the merits of the present reference. Therefore, the crucial point that has to be ascertained is whether the mining operations in the lime stone mines of Devannagoundanoor were in fact discontinued by the Management with effect from 1-11-1979. Ex. M-5 is the statement of the Management before the Conciliation Officer given on 8-12-1979 (i.e.) long after 1-11-1979 from which date the Management claims that they have discontinued their mining operations. In Ex. M-5, there is no plea of the Management that the Management has discontinued mining operations with effect from 1-11-1979. On the contrary, the stand of the Management under Ex. M-5 was that some workmen were used to be employed by the Management but they were not continuously coming to work. As a matter of fact, these workmen have stayed away from coming to work and that the Management had never asked them not to report to work. Thus it is clear that the earlier stand taken up by the Management under Ex. M-5 on 8-12-1979 would give a lie direct to the present claim that the mining operations have been discontinued from 1-11-1979.

(4) Ex. W-9 is the failure of conciliation report dated 16-8-1980. From Ex. W-9 it can be gathered that the Management also came forward with additional plea that the mining operations in the Devannagoundanoor lime stone mines were discontinued with effect from 28-10-1979 for the purpose of digging well. Even here it may be noted that the case now put forward by the Management is discontinuance of the mining operation with effect from 1-11-1979 whereas according to Ex. W-9 the claim before the Conciliation Officer was from 28-10-1979. Be that a small discrepancy, even then, it has to be seen whether there is truth in the claim of the Management that mining operations in the Devannagoundanoor lime stone mines were discontinued with effect from 28-10-1979 or 1-11-1979. As already pointed out, the Manager of the Management has been examined as M.W.1. He has a third version, namely, that the mining operations were discontinued even with effect from 27-10-1979—vide his chief examination. But he admits that the notice intimating the closing of the mines as contemplated

in Form 1 of Metaliferous Mines Regulations, 1961 was issued only subsequently. Ex. M-3 is said to be the copy of notice in Form-A sent by the Management intimating the discontinuance of the mining operations. In the first place, great reliance cannot be placed on Ex. M-3 because it is only a copy produced by the Management. There is no knowing whether in fact the original of Ex. M-3 was despatched to the Labour Enforcement Officer (Central), Salem. No doubt, M.W.1 has signed in Ex. M-3, but even then the date on which the original of Ex. M-3 was prepared or sent is not indicated. Even assuming that the Management had in fact sent the original of Ex. M-3, even then it does not in any way support the stand of the Management that the mining operations were discontinued from 28-10-1979 or 1-11-1979. Column (4) of Ex. M-3 deals with the date on which it is intended to discontinue the mine and the date is mentioned as 14-4-1980. Besides, column No. 5 of Ex. M-3 is the actual date of discontinuance of the mines which is dated 14-6-1980. Therefore, even from Ex. M-3, it can be positively held that the mining operations were not discontinued with effect from 28-10-1979 or 1-11-1979 as the Management would now have it. On the other hand, the evidence of the Union is that even today the Management continues the mining operations. Moreover, Ex. M-1 is the Mining Lease Deed obtained by the Management from the Government of Tamil Nadu on 27-12-1978. Under Ex. M-1, the Management was granted mining lease for the following lands at Devannagoundanoor: Survey No. 187/2—10.18 acres; Survey No. 188/1 Part-6.43 acres and Survey No. 513 Part-0.50 acres. Therefore, even if any weight can be attached to Ex. M-3 that only deals with a part of the lease obtained by the Management, viz., Survey No. 188/1 Part-6.43 acres. There is not an iota of evidence whatsoever to show that the mining operations had been discontinued with regard to the remaining two Survey numbers of 10.18 acres and 0.50 acres at Devannagoundanoor owned by the Management. This will only go to probabilise the case of the Union that even till date the mining operations are being till date the mining operations are being carried on by the carried on by the Management in the other two properties at Devannagoundanoor with the help of fresh hands. Looked at from any point of view, it is impossible to conclude that the Management has discontinued mining operations either on 28-10-1979 or 1-11-1979 or at any date and therefore by no stretch of imagination can it be said that the industry is a dead industry. In that view, plea of the Management that the Tribunal has no jurisdiction to go into the merit of the reference is misconceived.

(5) The case of the Union is that because the workmen covered by the reference joined the Petitioner-Union, the Management had declined to permit the workmen excepting one to join duty. This resulted in the protest—vide Ex. W-15 (12-11-1979). The original of Ex. W-15 had been despatched to the Management and offices of the Labour Department under certificate of posting Ex. W-16. There is no specific denial by the Management that the original of Ex. W-15 was not received by the Management. This was later followed by a complaint to the Police by the 21 workmen—vide Ex. W-12 on 15-11-1979. The Petitioner-Union espousing the cause of the workmen had also sent a report to the Director of Safety Mines, Oorgam against the Management through the workmen—vide Ex. W-17 on 6-12-1979. Evidence has been placed to show that the Assistant Labour Commissioner (Central) visited Salem on Camp in the middle of December, 1979 and therefore the Management in order to show that there was nothing untoward in their industry gave to these workmen work on 12-12-1979 and 13-12-1979 and after the Assistant Labour Commissioner left Salem Camp the Management again denied employment with effect from 14-12-1979. On 14-12-1979 the Union has categorically referred to this fact that on one day the workmen were allowed to work and ever since they declined to allow workmen to work. A copy of Ex. W-4 had also been sent to the Management. There is also the evidence of W.W.1 and W.W.2 in support of all these materials. The evidence of M.W.1 does not in any way detract the case put forward by the Union. A faint plea is also raised by the Management that the workers have abandoned their employment. I have already pointed out that the Management has not produced the statutory registers to show the period of employment by the various workmen. The Management does not have any Standing Orders. The workmen have not been given orders

of appointment by which abandonment can be presumed. M.W.1 has also admitted the Management has not issued any notice to any of the workmen calling on them to explain their failure to report for work. He has also admitted that the management has not informed the workmen that the names of the workmen had been struck off from the muster rolls of the Management. In the face of these materials, I have no hesitation to accept the case of the Union that the action of the Management in terminating the services of the 21 workmen from 14-12-1979 is unjustified. There is also evidence that the Management carries on the mining operations with the help of other hands. Therefore, the termination of these workmen is void and inoperative being violative of Section 25-F and 25-H of the Industrial Disputes Act, 1947. Thus considerable force in the submission of the learned counsel for the Union Thiru Chandru that because these 21 workmen joined the Petitioner-Union, the Management has resorted to this unfair labour practice of terminating the services of the 21 workmen without any justification with effect from 14-12-1979. The 21 workmen are without employment ever since the termination of their employment by the Management. No case is put forward by the Management to deny the normal relief of reinstatement with back wages. Hence I hold that the termination of the 21 workmen by the Management is illegal and unjustified and the Management is ordered to reinstate these 21 workmen with back wages.

(6) In the result, an Award is passed holding that the action of the Management in terminating the services of these 21 workmen is unjustified and directing reinstatement of these 21 workmen with back wages. I also direct the Management to pay a cost of Rs. 500 to the Petitioner-Union.

Dated, this 24th day of June, 1981.

Sd/-

T. SUDARSANAM DANIEL,
Presiding Officer.

[No. L-29011/46/80-D.O. II(B)]

WITNESSES EXAMINED

For workmen

W.W.1—Thiru P. R. Narayanan.

W.W.2—Thiru K. Pachamuthu.

For Management

M.W.1—Thiru T. Arjunan.

DOCUMENTS MARKED

For workmen

Ex. W-1 15-11-79—Letter from the Union to the Assistant Labour Commissioner (Central), Madras for taking up conciliation proceedings.

Ex. W-2/15-11-79,—Certificate of posting.

Ex. W-3/6-12-79—Letter from the Union to the Assistant Labour Commissioner, Madras-6 for taking up conciliation proceedings.

Ex. W-4/14-12-79—Letter from the Union to the Assistant Labour Commissioner, Madras-6 for taking up conciliation proceedings.

Ex. W-5/13-6-80—Letter from the Director of Mines Safety, Oorgam Region to W.W.1 requesting to furnish list of mines who have not provided welfare amenities to workers.

Ex. W-6/24-6-80—Letter from the Union to the Assistant Labour Commissioner (Central), Madras intimating the proposal of strike from 1-7-1980.

Ex. W-7/28-6-80—Conciliation letter issued to the Union.

Ex. W-8/23-7-80—Letter from the Labour Enforcement Officer(C), Salem to the Parties intimating the date of discussion to be held on 25-7-1980.

Ex. W-9/16-8-80—Conciliation failure report. (True copy).

Ex. W-10/17-9-80—Letter from the Union to the Assistant Labour Commissioner (Central), Madras-6.

- Ex. W-11/31-8-79—Resolutions passed at the General body meeting of the Union on 25-8-79—sent to the Assistant Labour Commissioner, Madras.
- Ex. W-12/15-11-79—Complaint signed by the workmen to the Police seeking protection.
- Ex. W-13/29-10-79—Letter signed by the workmen to the Management.
- Ex. W-14/29-10-79—Letter signed by the workmen jointly to the Management claiming for work and wages.
- Ex. W-15/12-11-79—Report signed by the workmen to the Management against the Mines Manager.
- Ex. W-16/14-11-79—Certificate of Posting.
- Ex. W-17/6-12-79—Report of the workmen to the Director of Safety Mines, Oorgaum against the Management.

For Management

- Ex. M-1/27-12-78—Mining lease deed.
- Ex. M-2/8-5-79—Notice of opening of the Mines.
- Ex. M-3—Notice of discontinuance of the mine.
- Ex. M-4/14-4-80—Letter from the Management to the Director General of Mines Safety, Dhanbad requesting for permission to dig well. (Copy).
- Ex. M-5/8-12-79—Letter from the Management to the Labour Enforcement Officer, Salem. (Copy).
- Ex. M-6—Statement showing the attendance particulars of the workmen from June to October, 1979.

Sd/-

T. SUDARSANAM DANIEL, Presiding Officer

S.O. 2102.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relations to the management of Bhilai Steel Plant and their workmen, which was received by the Central Government on 7-7-81.

BEFORE JUSTICE SHRI S. R. VYAS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)
Case No. CGIT/LC(R)(67)/1980

PARTIES :

Employers in relation to the management of Bhilai Steel Plant and their workmen represented through the Metal Mines Workers Union, Nandini Mines, P.O. Nandini, District Durg (M.P.).

APPEARANCES :

For Union.—None.

For Management.—Shri D. C. Henry, Law Officer,

INDUSTRY : Limestone Mines DISTRICT : Durg (M.P.)

AWARD

This is a reference made by the Government of India in the Ministry of Labour under Sec. 10(1)(d) of the Industrial Disputes Act vide Notification No. L-29012/6/80-D. III(B) dated 14th October, 1980, for the adjudication of the following dispute :—

“Whether the action of the management of Bhilai Steel Plant in denying the acting allowance to S/Shri Murtiza Ali and A. R. Bakshi, Ward Keepers, Nandini Lime Stone Mines for the period from 7-10-1966 to 30-11-1971 is justified? If not, to what relief the workmen are entitled?”

2. The case of the workmen represented through the Metal Mine Workers Union is that the work load of Nandini Stores Depot was being carried on in four sections viz. A, B, C & D, that each section was handled by the officers incharge and other clerical staff vide an order passed on 7-10-1966 and that out of the aforesaid four sections the two workmen viz. S/Shri Murtiza Ali and A. R. Bakshi were made incharge with full responsibility for each section. Further according to the workmen though they worked as Assistant Store Keepers in the aforesaid stores depot they were not paid any acting allowance from 7-10-1966 to 30-11-1971. Since this dispute could not be settled in conciliation proceedings it was referred to this Tribunal for adjudication.

3. The management opposed the claim made by the workmen. It was alleged that an order for distribution of duties called ‘distribution memo’ was issued on 7-10-1966 and in accordance with this distribution memo the workmen S/Shri Murtiza Ali and A. R. Bakshi were allotted the duties of Ward Keepers and placed in charge of Wards B and C respectively. Such distribution memo, according to the workmen, made provision for the work load of each Ward Keeper and that there was no question of the workmen Shri Murtiza Ali and Shri A. R. Bakshi being asked to act as Assistant Stores Keepers in any of the aforesaid four sections.

4. After the reply was filed by the management neither the Union representative nor the workmen appeared before this Tribunal. Evidence was thereafter recorded in which Shri J. G. Arnold, Deputy Manager (Stores) Bhilai Steel Plant was examined. According to him the first order Ex. M/1 was issued by his predecessor on 7-10-1966 and the subsequent order Ex. M/2 was issued by him. He has further stated that the principles followed in both these orders viz. Ex. M/1 and Ex. M/2 were that whenever the items in the charge of Ward Keepers were more than one thousand then they were kept under the Assistant Stores Keeper and in case the number was less the charge remained with the Ward Keepers. This principle according to him, was followed till he continued as Assistant Stores Officer from 1968 to 1971. Lastly, according to him, whenever an Assistant Stores Keeper proceeded on leave or the work load was heavier than as stated above then only the workman, whether Shri Murtiza Ali, was asked to officiate and not otherwise. As regards Shri A. R. Bakshi he stated that Shri Bakshi never worked as Assistant Stores Keeper either in a substantive capacity or in leave vacancy or in any other capacity from October 1966 to 1971.

5. It would thus be clear from the aforesaid evidence that so far as the workmen Shri Murtiza Ali and Shri A. R. Bakshi are concerned their substantive capacity was that of Ward Keepers and only Shri Murtiza Ali sometimes in a temporary vacancy officiated as Assistant Stores Keeper. For that period according to Shri Arnold he was paid.

6. The aforesaid evidence given by Shri Arnold on behalf of the management has not been controverted by the workmen either by oral or documentary evidence. I, therefore, find no reason to disbelieve the oral and documentary evidence given by the management in this case. My conclusions therefore are that Shri Murtiza Ali and Shri A. R. Bakshi never worked as Assistant Stores Keepers in a substantive capacity for any period between 7th October to 30th November, 1971 and that when Shri Murtiza Ali officiated as Assistant Stores Keeper in a temporary vacancy he was paid the wages of Assistant Stores Keeper and that Shri A. R. Bakshi never worked as an Assistant Stores Keeper during the entire aforesaid period. Accordingly they are not entitled to any acting allowance for the post of Assistant Stores Keeper. The dispute raised by the workmen referred to this Tribunal is accordingly decided in favour of the management and against the workmen represented through the Union.

Sd/-

S. R. VYAS, Presiding Officer.

29.6.1981.

[No. L-29012/6/80-D.O. III(B)]

S.O. 2103.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Orissa, Bhubaneswar, in the industrial dispute between the employers in relation to the management of M/s. Serajuddin and Company's S.G.B.K. Manganese Mines and their workmen, which was received by the Central Government on the 14-7-81.

**BEFORE INDUSTRIAL TRIBUNAL, ORISSA
BHUBANESWAR**

**SHRI M. V. GANGARAJU, B.A., B.L.,
PRESIDING OFFICER
INDUSTRIAL DISPUTE CASE NO. 4 (CENTRAL)
OF 1981**

Bhubaneswar, the 4th July, 1981

BETWEEN

The employers in relation to the Management
of M/s. Serajuddin & Company's S.G.B.K.
Manganese Mines.
First-party

AND

Their workmen Second-party

APPEARANCES

Shri Balram Singh,
Mines Manager,
Serajuddin & Co.,
Gurda Mines Office.
For the first-party
Shri Biranchi Khilar,
General Secretary,
Orissa Mining Workers'
Union, Guruda.

For the second-party

AWARD

The exercise of the powers conferred by Section 7-A and Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Government of India in the Ministry of Labour has referred the following dispute to this Tribunal for adjudication vide Order No. L-27912/4/80-D-III-B dated 30-1-1981:

"Whether the action of the management of S.G.B.K. & B.B. Manganese & Iron Mines of M/s. Serajuddin & Co. in terminating the services of Md. Shahid Iqbal, Junior Teacher, Gurda U.P. School of M/s. Serajuddin & Company from 13-2-1980/22-4-1980 is legal and justified? If not, to what relief Md. Shahid is entitled?"

2. In this case the management in their written-statement take the plea that the reference is bad because the second-party workman is not a workman as defined by the Industrial Disputes Act. They also state that he was appointed on probation for a period of six months and the appointment was purely temporary, which conditions the second-party workman accepted. Accordingly, after the expiry of the probationary period by 13-2-1980, his services were terminated on 12-4-1980. The Orissa Mining Workers' Union straightway complained before the Labour Enforcement Officer, (Central), Barbil, demanding that the second-party workman should be confirmed on completion of his probationary period and should also be made monthly-rated. During the course of conciliation proceedings it was discussed by the Union representative that the services of the second-party workman were terminated with effect from 13-2-1980 by a communication dated 22-4-1980. The Conciliation Officer illegally entertained and referred the matter to this Tribunal.

471 GI/81—8.

3. It is also stated that during the probationary period the work of the second-party workman was not satisfactory and he was also found to be misbehaving with some girl students. He was given adequate opportunity to mend himself but there was no improvement and so the matter was reported to the Mines Manager on 24-3-1980 by the President of the School Managing Committee. The Mines Manager considered the whole matter and in the interests of the institution and as per the terms of the appointment of the second-party workman, he was informed on 30-3-1980 that his probationary services came to an end with effect from 13-2-1980. In spite of it, the second-party workman continued to mark his attendance in the school and insisted on a written order of termination of his services. Therefore, by a written order dated 24-4-1980 his probationary services were terminated. It is also admitted in the written-statement that due to the negligence on the part of the office to expedite the decision and action in this case, the second-party workman continued in employment beyond six months of his initial probationary period. He never worked during the month of April, 1980. Hence it is prayed to pass the Award in their favour.

4. The second-party workman in his written-statement has averred that he was appointed by the order dated 12-8-1979 and he joined on the same day as a junior teacher. He was not paid his wages for the work ending on 6-4-1980 and instead of paying the wages the first-party management intimated him on 22-4-1980 that his services were terminated with effect from 13-2-1980. The second-party workman had completed his probationary period and became a permanent employee of the establishment as per the certified Standing Orders of the first-party management. As he refused to do some personal work of the Manager, his services were terminated. Before terminating his services, the first-party management did not issue any charge-sheet, nor was there any departmental enquiry against him. So, as the second-party workman was on duty till 22-4-1980 as per the certificate issued by the authority of the school, the reference should be answered in his favour.

5. The following issues can be framed in this case :—

- (1) Whether the second-party workman is a 'workman' as defined under Section 2(s) of the Industrial Disputes Act and if the provisions of the Industrial Disputes Act apply to this case?
- (2) Whether the action of the management in terminating the services of the second-party workman is legal and justified?
- (3) To what relief the workman is entitled?

FINDINGS

6. Issue No. 1—Whether the second-party workman is a 'workman' as defined under Section 2(s) of the Industrial Disputes Act and if the provisions of the Industrial Disputes Act apply to this case?

It cannot be said that the provisions of the Industrial Disputes Act do not apply to this case because the second-party workman was appointed by an industrial concern in a school for the benefit of the employees' children of the said concern. There is no denial of this fact either in the evidence or in the written-statement filed by the first-party management. It is also seen that an application was made by the second-party workman to the Mining Partner of the Serajuddin & Company for the post of a teacher. The appointment order, Ex. 4, was also issued on the letter-head of the Serajuddin & Co., Mines Owner and Exporters and signed by the Mines Manager. So this issue should be answered in favour of the second-party workman.

7. Issue No. 2—Whether the action of the management in terminating the services of the second-party workman is legal and justified? And Issue No. 3—To what relief the workman is entitled?

The evidence led on behalf of both the sides clearly shows that the second-party workman had continued in service even after termination of his probationary period. The probationary period was for six months as is disclosed by the appointment order, Ex. 4. The Ex. 4 is dated 12-8-1979. So the probationary period was upto February, 1980. The second-party workman had proved a certificate given by the head

of the school, which is Ext. 5, which shows that the second-party workman was working till 22-4-1980. For that matter there is a clear admission in the written-statement of the first-party management to which I have already referred that due to the negligence of their office the second-party workman continued to work even beyond the probationary period. It is also clear from the written-statement of the first-party management that his services were sought to be terminated because of the alleged misconduct which has not been proved on behalf of the first-party management.

8. The second-party workman has stated in his deposition that he worked till 22-4-1980 and he was not paid his salary from 1-4-1980 for which he wrote a letter, Ext.1. Instead of paying his salary, his services were terminated as per Ex.2. He also proves the provident fund contribution slip, Ext. 3. In his cross-examination it is stated that he had agreed to the terms of the appointment and joined the service and that he was appointed on probation for six months. It has been elicited from him that after the probationary period was over he had never written to the management for extension of the probationary period or for continuation of his service. It is the duty of the management either to extend his probationary period or to issue orders terminating his services as soon as his probationary period was over. In the absence of that, it would be construed that he was still in service after the probationary period was over.

9. W.W.2 was a teacher who speaks in support of the second-party workman. He says that he issued the certificate, Ext.5, showing that the second-party workman continued to work till 22-4-1980. Neither the second-party workman nor this witness has been questioned in the cross-examination by the management about the alleged misconduct of the second-party workman as stated in their written-statement.

10. The management's witness speaks about the case of the management and proves the application of the second-party workman, Ex.A. He says that the appointment of the second-party workman was purely on compassionate grounds. It is stated by him that even during the conciliation proceedings the second-party workman never approached the conciliation officer praying for reinstatement and that he had not completed 240 days of continuous service. It is stated by him in his cross-examination that there is no Standing Order to the effect that after the completion of the probationary period, one should be made permanent. But this has been asserted in the written-statement of the second-party workman and as such the management has been noticed to produce the Standing Orders which they did not. It is stated by him that they did not pass any stigma on the character of the second-party workman and so no enquiry was conducted. It is averred in the written-statement of the management that due to his misbehaviour with girl students and due to his unsatisfactory work, the services of the second-party workman were terminated. In the case reported in A.I.R. 1971 Supreme Court 1012 it is stated that even though the impugned order does not necessarily refer to stigma attributable to the conduct of the Government servant, yet the circumstances attended on the impugned order are relevant. Though the case relates to a Government servant, yet the principles laid down in that case are applicable to the facts of the present case. It is laid down in the case reported in A.I.R. 1974 Supreme Court 1096 that an order terminating the services of a temporary servant or a probationer, if it is by way of punishment, will attract Article 311 of the Constitution and that the form of the order is not conclusive but it is the substance of the matter that is to be looked into. In the case reported in 1981 (42) F.L.R. 389 it is stated that in the case of a probationer, if the period of probation is extended, then the consequence in law would be that either he was a temporary employee or a permanent employee but not a probationer and the termination of service of such an employee on account of unsatisfactory work cannot be held that termination was done during the extended period of probation. In this case even though there is no written order of extension of the probationary period, yet after the completion of the probationary period it must be deemed that he was continuing in service as a temporary employee. It is also seen that he was in service from 12-8-1979 to 22-4-1980, i.e., for more than 240 days. So the termination of the services of the second-party workman by the first-party management was illegal and unjustified and as such he is to be deemed to be in continuous service. In

the case reported in 1979 (94) F.J.R. 425 (Karnataka) a probationer was discharged from service with a simple order of termination, which order was innocuously worded and it mainly appeared that it was a discharge simpliciter. Even then the High Court of Karnataka went behind the order and found out that that order was by way of punishment without holding any enquiry and they allowed the writ petition. In the case reported in 1977 Lab. I.C. 176 it was held that the order of termination was not a termination simpliciter but by way of punishment and it was violative of Article 311(2) of the Constitution and so it was quashed. So, taking into consideration the overall picture, these two issues should be answered in favour of the second-party workman.

11. In the result I find that the second-party workman is to be deemed to be in service and he is entitled to all his back wages and continuity of service.

12. The Award is passed accordingly.

Sd/-

M. V. GANGARAJU, Presiding Officer

[No. L-27012/4/80-D-III(B)]

K. K. HANDA, Under Secy.

New Delhi, the 13th July, 1981

S.O. 2104.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 7-7-1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT
NEW DELHI

I.D. No. 90 of 1978

In re :

The General Secretary,
Bank of Baroda Karamchari Association,
Bhartiya House, Birhana Road,
Kanpur.

... Petitioner

Versus

The Regional Manager,
Bank of Baroda, Hazrat Ganj,

Lucknow.

... Respondent

AWARD

The Central Government as appropriate Government *vide* its order No. L-12012/92/73-LR.III/D.II.A dated the 24/25th October, 1978 referred an Industrial Dispute u/s. 10 of the I.D. Act, 1947 to this Tribunal in the following terms :

"Whether the action of the management of the Bank of Baroda in terminating the services of Shri O. P. Gupta, Accountant-cum-Cash clerk, Bindki Branch of the Bank w.e.f. 30-4-1973 is justified? If not, to what relief is the workman concerned entitled?"

2. After this reference was received it was ordered to be registered and usual notices were sent to the parties. The workman side appeared through the workman and Management side appeared through his duly authorised representative. A statement of claim was filed on 12th of January, 1979 while the written statement was filed by the Management on 20th of March, 1979 and finally a replication was filed on the 17th of April, 1979. Upon the pleadings of the parties following four issues were framed *vide* my order dated the 6th September, 1979 :

ISSUES :

1. Whether the dispute has been properly espoused. If not, its effect?

2. Whether the reference is barred by *res judicata*?

9. Issue No. 4 :

3. As in order of reference?

4. Whether any demand was made. If not its effect?

3. I have gone through the evidence produced by the parties and the file and have heard the workman and the representative of the Management and after giving my considered thought to the matter before me I have come

to the following findings :

4. The contention of the workman as disclosed from his statement of claim is that he was engaged by the Management on the 3rd of November, 1972 when he was appointed on a probation for six months and that his services were terminated w.e.f. 30th April, 1973; that the said termination was illegal and un-enforceable in as much as he was not guilty of any misconduct and was result of the bias and prejudice of the local Manager and hence he has claimed the relief of reinstatement.

5. The contention of the Management to the contrary is that the work of the workman was not found to be satisfactory during the period of his probation and consequently his services were terminated. Inter alia it has also been contended by the Bank that the matter in dispute has not been properly espoused. It is similarly urged that the matter as barred by principles of *res judicata*.

6. The workman has come forward as W.W.1 and filed his affidavit. The workman was cross examined by the Management at length. The workman filed documents Ex. W/2 and Ex. W/3. The Management has on the other hand examined one witness Shri Atma Ram Bubna as M.W.1 and has also produced certain documents which would be refer at appropriate stage.

7. Issue No. 1 :

The workman has stated in para 10 of his affidavit that his case was espoused by the Bank of Baroda Karamchari Association but he has not led any documentary evidence to prove the said espousal. The burden of establishing espousal was upon the workman which he has failed to discharge properly. The best evidence in proof of espousal could be the resolution of the union espousing his case but no copy of such resolution or the resolution in original has been produced so much so that even no office bearers of the said union has been examined to establish this issue. In view thereof this issue is decided against the workman and in favour of the Management. Incidentally it may be mentioned here that Shri Gupta in his affidavit Ex. M/1 has stated that the dispute was not validly espoused by the Association. Reference in this behalf may be made to para 12 of his affidavit. For my discussions above, this issue is decided in favour of Management and against the workman.

8. Issue No. 2 :

Burden of establishing this issue was upon the Management. The Management has not been able to show as to how the reference is barred by principles of *res judicata*. Even otherwise the strict rules of *res judicata* are not applicable to industrial adjudication unless it is shown categorically that the same matter has already been adjudicated upon in respect of the same demand. No such evidence has been brought forth by the Management. In view thereof this issue is decided against the Management. Mere fact that the workman had at one stage taken up the matter at High Court would not estop him or bar him under principles of *res judicata* under the I.D. Act and the remedy provided under the I.D. Act is independent of all other remedies and consequently this reference cannot be deemed to be barred. Mere fact that the Hon'ble High Court had refused to interfere in the earlier order of Government in rejecting the reference also would not stand in the way of the Central Government as appropriate Government to make the reference. Therefore, this issue is decided against the Management.

The contention of the management is that no demand was made. However, it is not denied by the Management that certainly the matter had been taken up before the Conciliation Authorities and the Management had fought it tooth and nail before the conciliation authorities. In the face thereof and in view of the principle of law laid down by the Supreme Court in *S. N. Goyal Vs. Bank of Baroda*, to which this Management was a party, it cannot be held that this reference can be thrown on the ground that no demand was made and I hold accordingly.

10. Issue No. 3 :

This is the main issue. The facts so far as the employment and termination are concerned are not disputed except in minor details. Admittedly this workman had joined service on 3rd of November, 1972 and his services were terminated w.e.f. April, 1973. Admittedly this workman was joined the service of Bank on 3-11-1972 and he was appointed on probation for six months as a reference to para 2 of his affidavit dated 14-11-1979 would show. Admittedly according to the contention of the workman himself his services were terminated before the expiry of said six months and, therefore, it cannot be said that the termination of his services immediately on the expiry of period of probation is not valid, particularly so because the workman has failed to establish any bias, malafides or prejudice in the said termination of his services.

11. The affidavit of the workman is Ex. W-1. He has tendered Ex. W/2 and Ex. W/3. Let us see what these two documents are. Ex. W/2 is the letter of appointment dated 27-10-1972. Ex. W/3 is letter of termination of his services dated 30-4-1973. From the perusal of Ex. W/2 it would be found that in para 3 thereof it has been clearly mentioned that the 'workman will be on probation for a period of six months which may be extended by the bank on its discretion.' Ex. W/3 says in para 2 that 'as your work during the probationary period has not been found satisfactory, your services are terminated with immediate effect. You will be paid one month's salary and allowances in lieu of notice.' Receipt of this letter Ex. W/2 and Ex. W/3 is not denied by the workman. According to the workman para 2 of his affidavit the workman joined services on 3rd of November, 1972. Thus the termination is clearly in pursuance of the powers vested in the management according to Ex. W/2 and hence it cannot be said that the termination was invalid.

12. In para 1 of his cross examination the workman has admitted that letter Ex. W/3 was received by him by Regd. AD and was delivered on 3rd of May, 1973. This also shows that the termination was within the stipulated period and hence valid. It may be mentioned here that the Management had reserved a right to extend his probation. Rather than extending the probation the Management decided to terminate the services of this workman and issued a letter Ex. W/2 on 30-4-1973 which was received by the workman on 3rd of May, 1973 and on that ground also the termination was valid.

12A. The workman has contended that he had not received the requisite one month's notice pay. However, in accordance with Ex. W/2 when the termination is during the probation period or immediately on its expiry it cannot be said that under any principles of equity or justice this workman would be entitled to any notice pay. However, it appears that it was by way of abundant precaution that the Bank as Management in para 2 of his affidavit stated that the one month's salary would be paid in lieu of salary. The workman had applied to the bank to issue a duplicate pay order and in pursuance thereof the workman did receive on 22-11-1976 the said amount of notice pay etc. The very fact that the workman approached the Management for issue of a duplicate pay order would show that the workman had in fact received a pay order earlier and having mis-placed it approached the bank. So is stated by Mr. Bubna in his affidavit Ex. M.W. 1/1. A reference in this behalf may be made to para 9 of affidavit Ex. M.W. 11. I have already held that the termination was immediately on completion of probation period no notice or notice pay in lieu was necessary to be paid but in this case it was actually complied and money was received by the workman even though on

22-11-1976 and, therefore, if at all there was lapse it stood compounded on 22-11-1976 when the workman received the notice pay.

13. The Management has examined Mr. Atma Ram Bubna as M.W. 1 who had supported the contention of the Management, regarding the performance of the workman during the period of probation. A reference to his affidavit would show that he has brought out specific instances wherein the work of the workman was found to be faulty. Even though the Management was the best Judge to decide about the competence of this workman for retention in service after probation, still the Bank has thought it proper to bring out the proper instances and I see no reason to doubt the correctness of these instances. If at all letter Ex. M/1 and Ex. M/2 go to confirm the conclusions which led the Bank to terminate the services of this workman during the probation. The workman has during cross examination stated that the Agent of his branch had pressurised him to execute certain letter failing which he was threatened of termination of his services but it was an after thought since he was being confronted with letter Ex. M/1 and Ex. M/2. It is noteworthy to mention here that it is admitted by the workman that he did not complain in writing against these letters. There is hardly any evidence produced by the workman to show that in fact any coercion was exercised upon him. There is nothing to suggest that the Bank Manager or the Bank Agent had any malice or prejudice against this workman. Existence of mistake in the cash book on 2-12-1972, 10-1-1973 and 5-3-1973 are admitted to exist by this workman but he has explained that these corrections were made after the accounts were closed which is hardly convincing particularly in view of his further statement that there were no entries recorded after the closure of day's accounts on these dates.

14. It would be appropriate to bring out here that the Bank has examined the very person who is said to have exercised pressure upon this workman and he is Mr. Atma Ram Bubna, the then Agent of that Branch. He has denied all these allegations of the workman. It is categorically stated in the very first line of his cross examination by this witness that it was incorrect to suggest that extension of workman's probation was proposed by me so as to keep the workman under my pressure. It is also stated by him in the next para that it is incorrect to suggest that Ex. M/1 and Ex. M/2 were dictated by him to workman and the workman had executed these of his free will. In the last para it is categorically stated by this witness that it is incorrect that 'I was prejudiced or biased against the workman and, therefore, I made wrong report against him.' Oath against oath. The burden of establishing pressure, coercion, bias and malice in the matter of termination of his services was upon the workman and he has failed to discharge this burden by independent evidence.

15. In view of my discussion above, this issue is decided in favour of the Management and it is held that the action of the Management of the Bank of Baroda in terminating the services of Shri Om Parkash Gupta, Accountant-cum-cash clerk, w.e.f. 30-4-1973 is justified and the workman was not entitled to any relief what-so-ever.

16. For my discussions and findings above, it is awarded that the action of Management of Bank of Baroda in terminating the services of Shri O. P. Gupta, accountant-cum-cash clerk, w.e.f. 30-4-1973 is justified and the workman was not entitled to any relief. However, the parties are left to bear their own costs.

Further orders :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

Sd/-

MAHESH CHANDRA, Presiding Officer

Dated : the 18th June, 1981.

[No. L-12012/92/73-D.II(A)]

New Delhi, the 17th July, 1981

S.O. 2105.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Union Bank of India, Ernakulam, and their workmen, which was received by the Central Government on the 13th July, 1981.

**BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS**

(Constituted by the Government of India)

Wednesday, the 1st day of July, 1981

Industrial Dispute No. 12 of 1981

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the Management of Union Bank of India, Ernakulam, Kerala State).

BETWEEN

Thiru C. Sreekumaran Nair,
Thippotuknam, Golf Links Road,
P.O. Kowdiar, Trivandrum-3.

AND

The Regional Manager, Union Bank of India,
Chandrika Building, M. G. Road, Ernakulam.

REFERENCE :

Order No. L-12012/45/77-D.II.A, dated 31st January, 1981 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Monday, the 11th day of May, 1981 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvalargal R. Lakshmana Iyer, Advocates and K. Appukuttan Nair for the workman and of Thiruvalargal T. S. Gopalan, P. Ibrahim Kalifulla and P. Raghunathan, Advocates for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following:

AWARD

This is an Industrial Dispute between the workmen and the Management of Union Bank of India, Ernakulam referred to this Tribunal for adjudication under Section 10(1)(c) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-12012/45/77-D.II.A, dated 31-1-1981 of the Ministry of Labour, in respect of the following issue :

"Whether the dismissal of Shri C. Sreekumaran Nair, ex-peon of the Union Bank of India in their development office at Trivandrum is justified? If not, to what relief is the concerned workman entitled."

2. Facts leading upto this dispute are as follows :

The Management is the Regional Manager, Union Bank of India, Chandrika Building, M.G. Road, Ernakulam, Kerala State. The present reference made by the Government of India, Ministry of Labour relates to the dismissal of Thiru C. Sreekumaran Nair who was employed by the

Management-Bank is a Panel attached to the Development Manager's Office, Trivandrum. The workman was placed under suspension pending inquiry into some allegations as per memorandum dated 24-11-1975 Ex. M-9 of the Superintendent, Staff Department, Central Office, Union Bank of India, Bombay. Ex. M-9 also specifies the two misconducts said to have been committed by the workman. Ex. M-9 further points out that if the workman so desires he may submit his written explanation in the matter through the Development Manager, Trivandrum within seven days of the receipt of this memorandum. Ex. M-15 is the explanation submitted by the workman. It is true that Ex. M-15 is dated 19-1-1976 and has been filed before the Enquiry Officer appointed by the Management. But from paragraph (3) of the Claim Statement filed by the workman himself it can be gathered that this workman submitted his written statement of defence dated 16-12-1975 denying both the charges and pleading innocence. Possibly Ex. M-15 is only a copy of the written statement filed by the workman dated 16-12-1975. Ex. M-18 is also another explanation submitted by the workman in writing on 24-1-1976 before the Enquiry Officer. Learned counsel for the workman Thiru Lakshmana Iyer submits that the constitution of a domestic enquiry even before the receipt of the explanation from the delinquent-workman is opposed to all principles of natural justice and therefore the enquiry that followed was not legal or proper. It is true that the charge memo issued by the Management under Ex. M-9 on 24-11-1975 is a composite one consisting of the circumstances which lead to the issue of the charge memos and actually the misconducts alleged against the delinquent and the constitution of the domestic enquiry and lastly the suspension of the delinquent pending enquiry. From these circumstances it is too much to say that the Management had already predetermined the misconduct committed by the delinquent. Support for this position is also sought to be had from Bipartite settlement paragraph 19.1 for the position that when the Management proposes to take disciplinary action against an employee in the first instance the employee shall be informed of the particulars of the charge against him and he shall have a proper opportunity to give his explanation as to such particulars and final orders shall be passed after due consideration of all the relevant facts and circumstances. But it must be remembered that paragraph 19.1 of the Bipartite Settlement only sets out a broad outline of compass and scope of disciplinary proceedings against the employee. It does not pretend to set out procedures in detail. As a matter of fact details of procedure are pointed out in paragraph 19.12 of the Settlement. On the contrary, paragraph 19.12 contemplates the date being fixed for an enquiry and calling for explanation simultaneously. That apart, the Supreme Court in 1967—II—1 L.J. Page 715 (Firestone Tyre and Rubber Company Ltd., vs. their workman) referring to the contention that an enquiry was held immediately after the investigation without taking the explanation of the workman has pointed out that although it may be desirable to call for such an explanation before serving a charge sheet it is clear that there is no principle which compels such a course. Moreover, in the present case dealing with specific charges levelled by the Management against the workman under Ex. M-9 the delinquent-workman has offered his own written explanation on three occasions, viz., 16-12-1975, 19-1-1976 under Ex. M-15 and 24-1-1976 under Ex. M-18. In the face of these materials, there is no merit in the first ground on which it is submitted that the enquiry held was not proper, namely that even without taking into consideration the explanation of the workman the domestic enquiry has been ordered by the Management.

3. Learned counsel for the workman Thiru Lakshmana Iyer also points out that the Management had not followed the procedure as laid down in paragraphs 19.3 and 19.4 of the Bipartite Settlement. In answer to this criticism, learned counsel for the Management Thiru Gopalan contends that whenever the Bank comes across a misconduct committed by its employee it may adopt one of the three courses namely, (1) the Bank may initiate disciplinary action without setting the criminal law in motion; (2) the Bank may itself file a criminal complaint and wait its outcome and (3) the Police may take action and the Bank may await the outcome and therefore it is abundantly clear that only in such cases when the criminal action has been taken and the Bank does not proceed with the matter by way of disciplinary action that the provisions of paragraphs 19.3 and 19.4 of the Bipartite Settlement are attracted. There is good deal of force in the submission of the Management. Therefore the procedure adopted by the Management in appointing an Enquiry Officer cannot be held to be illegal or improper or even opposed to the guidelines indicated in the Bipartite Settlement.

4. The Management appointed Thiru M. K. Sathyamoorthy, Personnel Officer, Regional Office, Kerala as the Enquiry Officer. This has been so notified even in Ex. M-10 is the copy of the communication sent to the delinquent informing him about the appointment of Thiru M. K. Sathyamoorthy as the Enquiry Officer. The Enquiry Officer in his turn issues the enquiry notice Ex. M-11 dated 31-12-1975. He has fixed the enquiry to commence at 11.00 A.M. on Monday, the 5th January, 1976 at Union Bank of India, Development Officers premises, Trivandrum. The delinquent is required to be present at the aforesaid place and time and date along with any evidence which he wants to place before the Enquiry Officer. The Enquiry Officer also directs the delinquent to furnish the Management-Bank with the names of any witnesses he might want to produce. He also points out that the delinquent will be permitted to cross-examine the Management witnesses and that the delinquent will be permitted to be defended by one, a representative of the registered Trade Union of Bank Employees of which he is a member or at the request of the said Union by the representative of the State Federation to which such Union is affiliated. The delinquent is also directed to furnish the name and written consent of such person to the Bank at the commencement of the enquiry on the date mentioned in Ex. M-11. The enquiry notice had been received by the delinquent on 3-1-1976—vide Ex. M-13. While so on 5-1-1976 the workman gave a letter to the Enquiry Officer Ex. M-12 in Malayalam, English translation of which is Ex. M-12(a). In Ex. M-12 the workman says that he is going to Sabarimala on 5-1-1976 and that the Secretary of the Trivandrum Bank Employees' Union who is representing him is getting married on 6-1-1976 and therefore he requested that the enquiry may be postponed by about 15 days. Ex. M-13 is also another of the self-same date addressed by the workman to the Enquiry Officer praying for 15 days time. Ex. M-13(a) is the English translation of Ex. M-13. In view of the request made by the delinquent under Exs. M-12 and M-13 the Enquiry Officer has adjourned the enquiry to 19th January, 1976 at the same place. This order was passed by the Enquiry Officer on 5-1-1976 as seen from the enquiry proceedings Ex. M-16. The delinquent has also taken a note of the adjournment granted by the Enquiry Officer. On 19-1-1976, when the scheduled enquiry was to commence at 11.00 A.M., the delinquent prayed for just one hour as he was expecting the defence representative to come up for the enquiry. Accordingly, the Enquiry Officer granted one hour's time as desired by the charge sheeted workman. One hour hence the workman represented that his defence representative has not come and hence he will not be in a position to go on without defence representative. At this stage it will be pertinent for me to advert to another criticism levelled by the learned counsel for the workman that the charge-sheeted workman was not given the assistance of trade Union leader and the enquiry was hustled through. I have already pointed out how at the instance of the workman the enquiry which was first fixed to commence on 5-1-1976 was adjourned to 19-1-1976 only at the express request of

the workman. Even on 19-1-1976 the workman only wanted one hour's time to see if his representative would come to assist him. Significant to point out that on 19-1-1976 the workman did not at all ask for any adjournment as such. When the representative of the workman did not turn up the workman was rest content to face the enquiry by himself, there is no substance in the present contention that the charge-sheeted workman was never afforded the chance to be assisted by trade union representative. The claim that the enquiry was hustled through does not stand a moment's scrutiny, because if on 19-1-1976 after waiting for one hour as desired by the workman, the workman did not ask for any adjournment, but went on with the enquiry, it is too much to say that the enquiry was hustled through. On the other hand, the workman participated in the enquiry, fully cross-examined the witnesses examined in support of the charges. Three witnesses were examined by the Management in support of the charges. The enquiry was closed on the second day as the workman did not examine any witness on his behalf. The workman has also marked a letter submitted by him on 19-1-1976 as Ex. D-1. The Enquiry Officer has questioned the charge sheeted workman if he has read and understood that charge sheet, to which he has replied that "I have understood the charges and hence I have given the reply as contained in Ex. D-1". Incidentally it may be noted that Ex. D-1 before the Enquiry Officer has been marked as Ex. M-15. The Enquiry Officer further asked if the charge-sheeted workman pleads guilty to the charge or not, to which the workman has clearly stated that he does not plead guilty. When the expected representative of the workman did not turn up the Enquiry Officer has asked whether he would like to be represented by anybody else to which he answered in the affirmative but stated that none of them are available now and since none of them are available, enquiry may be conducted without them. His only plea with the Enquiry Officer was that his case under Ex. M-15 may be considered. Thereafter the first witness was examined by the Management. The Enquiry Officer had given time to the workman to cross-examine this witness but the workman stated "I have nothing to ask whatever I want to say is in the letter given by me on the morning Ex. D-1 (Ex. M-15)." Thereafter the second witness for the Management was called and examined in chief. But the charge-sheeted workman has closely cross-examined the 2nd witness produced by the Management. Thereafter the enquiry was adjourned to the next day, namely 20th January, 1976. On 20-1-1976, the 3rd and the last witness for the Management was examined. After the chief examination was over the charge-sheeted him. With the stated that he has nothing to cross-examine him. With the 3rd witness the Management closed their side. Thereafter, the charge-sheeted workman was asked by the Enquiry Officer to produce his witnesses, to which he has replied "I have no witnesses to defend my case and for that matter nobody comes to represent me also. He has categorically stated that he has no witnesses to examine on his behalf. Thereafter the representative for the Management submitted his arguments before the Enquiry Officer. The charge-sheet workman was asked to reply to the submissions made by the Management. He has stated that he has nothing to say excepting the explanation which he had already given which has been marked as Ex. D-1 (Ex. M-15 before this Tribunal). In the face of these materials, there is no room or scope to countenance the submission of the workman that he has not been afforded reasonable opportunities by the Enquiry Officer to defend the charges levelled against him. Under these circumstances, the domestic enquiry held was fair and proper.

5. Learned counsel for the workman endeavoured to point out that the domestic enquiry held is violative of principles of natural justice. In paragraph (11) of the claim statement it is stated that the enquiry was conducted in English and the workman has studied only upto 8th standard and therefore he could not follow the proceedings conducted in English language and that the Enquiry Officer compelled the workman to sign the enquiry papers, while the workman was kept in dark regarding the contents of the statements recorded in English language. It is not gainsaid that the witnesses examined by the Management deposed only in Malayalam which was known to the charge-sheeted workman and it was translated and recorded in English. The translation has been done by the Enquiry Officer then and there and the workman has subscribed his signature to the same. If at any

stage, the workman had any lingering suspicion, certainly he could have insisted that the recordings might be made in Malayalam so that he will be in a position to know what has actually been recorded. It should also be remembered that the memo of charge Ex. M-9 was in English and while the workman gave not one but three written explanations all in English he had nowhere whispered that he is unable to understand the charges levelled against because it was in English and not in Malayalam. Actually even before the commencement of the enquiry, to a query from the Enquiry Officer the charge-sheeted workman has stated that he has understood the contents of the charges levelled against him and he emphatically denies the charges levelled by the Management. Moreover, if really the workman was in dark about the proceedings recorded by the Enquiry Officer, certainly he would have demurred against it and recorded his protest. No such thing had taken place. The proceedings had taken place in January, 1976 and for the first time in the claim statement filed in February, 1981, the plea is sought to be pressed into service, namely that the enquiry was conducted in English and the charge-sheeted workman was blissfully ignorant of the same. In the light of the several circumstances pointed out by me it is too naive to contend at this juncture that the charge-sheeted workman did not understand the charge-sheet or the enquiry proceedings or that he was compelled to sign in the enquiry proceedings by the Enquiry Officer and that he was kept in dark about the actual recordings. Therefore there is no violation of principles of natural justice and no prejudice has been caused to the workman in the light of the actual recordings made by the Enquiry Officer. On the documentary and oral evidence placed before the Enquiry Officer he came to the right conclusion that the charges levelled against the workman under Ex. M-9 had been substantiated. Ex. M-17 is the finding of the Enquiry Officer.

6. The findings of the Enquiry Officer had been served on the workman even on 22-1-1976 as can be seen from the acknowledgement of the workman in Ex. M-17 itself. The Enquiry Officer in his findings Ex. M-17 had recommended that the delinquent should be dismissed from the service of the bank. However hearing as regards the nature of proposed punishment was scheduled for 24th January, 1976 and Ex. M-18 is the explanation offered by the workman before the Enquiry Officer consequent on the findings rendered, Ex. M-19 would disclose the proceedings held by the Enquiry Officer with regard to the punishment proposed to be indicated on the workman. The workman has stated that apart from the written explanation submitted by him under Ex. M-18 he had nothing to add. Ex. M-20 is the last order passed by the Enquiry Officer on 12-4-1976 ordering dismissal of the delinquent. The Assistant General Manager has considered the finding of the Enquiry Officer and the charge-sheet held that the order of dismissal passed by the Enquiry Officer is proper—vide Ex. M-21. Not content with the order passed by the Assistant General Manager under Ex. M-21 on 13-4-1976 dismissing the workman, he filed an appeal to the Chairman and Managing Director—vide Ex. M-22 dated 7-6-1976. Ex. M-23 is another communication addressed by the workman to the Chairman and Managing Director on 8-1-1977. The Managing Director had earlier dismissed the appeal preferred by the workman by his order dated 18-10-1976. Therefore it is pointed out under Ex. M-24 by dismissed employee. It can be seen that the charge-sheeted workman had been afforded all reasonable opportunities at all times and given personal hearings and eventually, the Management had decided to dismiss him after giving opportunities for him to state his case why the extreme penalty should not be imposed on him. Looked at from any point of view, it is not possible to hold that the domestic enquiry held and the further appellate and revision proceedings exercised by the Management suffer from any infirmity or illegality as such.

7. Assuming that the domestic enquiry held was fair and proper learned counsel for workman Thiru Lakshmana Iyer makes a few submissions to concluding that this domestic enquiry held is illegal. In the first place his submission was that paragraph 19.14 of the Bipartite Settlement confers powers only in the Chief Executive to pass order of dismissal and therefore no other authority can impose the punishment

nor is there any scope to ratify their action by any other authority. Thiru M. K. Sathyamurthy, Personnel Officer, of the regional Office, Kerala of the Management was only notified as the disciplinary authority under Ex. M-9. It may be noted that this charge memo Ex. M-9 emanates from Central office of the Management-Bank and that it is the Central office which had suspended the workman pending enquiry. By no stretch of imagination can it be said that Thiru Sathyamurthy is incompetent to act as an Enquiry Officer. But the gravamen of the charge against the Enquiry Officer was that he was only authorised to enquire into the charges levelled against the workman and not to pass orders imposing punishment. It is true as already pointed out that after arriving at the finding that the charges had been substantiated against the workman, the Enquiry Officer also gave an additional opportunity why the extreme penalty of dismissal should not be imposed on the delinquent. But then it must be remembered that the conclusion of the Enquiry Officer with regard to the punishment was only provisional or recommendatory and the appropriate disciplinary authority alone has to assess independently the findings of the Enquiry Officer and inflict the just punishment called for. The appropriate authority, namely, the Assistant General Manager of the Management-Bank has considered the charges levelled against the delinquent the materials placed before the Enquiry Officer and the findings of the Enquiry Officer and also the proposed punishment that may be meted out to the delinquent and taking all factors into consideration and also the nature and seriousness of the misconduct the Assistant General Manager under Ex. M-2 decides that the proper order is only dismissal of the charge sheeted workman. Therefore neither the phraseology adopted by the Enquiry Officer nor the Assistant General Manager confirming the order passed by the Enquiry Officer has any relevance to the actual state of affairs. The case of the delinquent has been dispassionately considered by the Assistant General Manager on the findings and eventually the order of dismissal of the delinquent has been passed. Therefore it is not possible to hold that the order of dismissal passed is vitiated just because the Enquiry Officer has also proposed the punishment. Adverting to paragraph 19.14 of the Bipartite Settlement it must be pointed out that it does not say that only the Chief Executive can impose the punishment of dismissal. On the contrary it empowers the Chief Executive to appoint disciplinary enquiry or appellate authorities. Ex. M-2 is Staff circular of the Management-Bank empowering the Enquiry Officer and others to take disciplinary action. Therefore by virtue of the exercise of the powers vested on the Chief Executive both under Exs. M-1 and M-2 the concerned Enquiry Officers were not only authorised to take disciplinary action but also pass orders of punishment inclusive of dismissal or discharge. The exercise of power would include the authority to issue charge sheet also and to hold the enquiry and to issue the order of punishment consequent on the findings. But when the punishment is discharge or dismissal it has to be passed by an Officer not below the rank of Assistant General Manager. Learned counsel for the workman also stressed that the Enquiry Officer was not competent to issue a charge sheet. But Bipartite settlement does not specifically say who should issue the charge sheet. As I had earlier pointed out the charge sheet has been issued under Ex. M-9 under which the Enquiry Officer has also been nominated by the Bank. Paragraph 19.12 only contemplates that an employee against whom disciplinary action is likely to be taken shall be given a charge sheet clearly setting forth the circumstances appearing against him and this has been satisfied under Ex. M-9. Moreover, this objection relating to the issue of charge memo had not been taken earlier. In 1973—1—L.L.J. Page 316 (Workmen of Indian Overseas Bank vs. Indian Overseas Bank and another) it has been pointed out following the dicta laid by the Supreme Court in (1970) 2 S.C.C. 108, that it was not necessary for the authority which is to pass the order of dismissal to initiate the enquiry itself, and even if the charge-sheets had been issued by another not designated authority the same is not such an infirmity as to render the whole proceedings illegal and void. It must also be remembered that the workmen have not objected to the issue of charge-sheet at the earlier stage and so could not be permitted to urge the same as the ground to challenge the order of dismissal by the disciplinary authority against them. It may also be noted that although under Ex. M-9 the Enquiry Officer has been named he does not derive his authority as such under Ex. M-9 but only from those laid

down in Exs. M-1 and M-2. Therefore, I am unable to accept any of the submissions of the learned counsel for the workman to hold that the enquiry or the findings of the Enquiry Officer had been vitiated on any ground.

8. That brings me to the consideration of the final question as to whether the findings of the Enquiry Officer as adopted by the authority and also affirmed by the Appellate Authority are perverse or based on no evidence whatsoever. In order to appreciate the submissions made, it will be pertinent for me to set forth certain facts as appearing in evidence before the domestic enquiry proceedings. The workman Thiru C. Sreekumaran Nair was employed as a Peon in the development Manager's Office at Trivandrum. The Development Manager's office at Trivandrum is a small office. The clerk Thiru Sivaramakrishnan was in charge of the imprest cash. He applied for casual leave on 8-11-1975. The delinquent workman went to Thiru Sivaramakrishnan's house and demanded the office table key stating that it was required to open the almirah for taking out some files. The clerk's brother took the key to the Office accompanying the workman. The charge levelled against the delinquent is that under the pretext of taking out some records the workman has stealthily removed a sum of Rs. 93 out of total cash of Rs. 108.50 which was kept in the drawer. On 10-11-1975, when the clerk Thiru Sivaramakrishnan returned after his leave he noticed the shortage in cash. Immediately, he made a report to the Development Manager-Ex. M-3 Ex. M-4 is the statement given by the workman. It is in Malayalam, English translation of which is Ex. M-4(a). The workman not only admitted that he has removed cash of Rs. 93 on 8-11-1975 but had also agreed to make good the money. On 15-11-1975 the workman reimbursed the money—vide Ex. M-6 and a cash credit voucher was also prepared—Ex. M-7. The workman had paid his L.I.C. policy and got the amount back under Ex. M-8. Learned counsel for the Union would say that there was no eye witness to the alleged theft of money. Merely because there is no direct evidence it cannot be said that a charge of theft can never be sustained. There is the statement in writing in Malayalam by the delinquent himself under Ex. M-4 stating that he had removed this cash of Rs. 93 on 8-11-1975 from the chest. Learned counsel for the Union points out if really the delinquent had made a confession admitting his guilt then in the light of paragraph 19.12(e)(iii) of the Bipartite settlement the enquiry need not be held. In the present case, the admission or confession by the delinquent was not made in reply to a show cause notice. On the other hand, the confession was made on 10-11-1975 whereas the charge memo has been issued under Ex. M-9 only on 24-11-1975. Therefore paragraph 19.12(e)(iii) of the Bipartite settlement is not strictly attracted. It should also be remembered that even this clause is not mandatory. It only gives a choice for the Management to accept the confession or not. In the circumstances, merely because the Management conducted the enquiry it does not necessarily follow that the admission or confession made by the delinquent under Ex. M-4 is not true or voluntary. It is also stated that there is no evidence to show that there was actually a shortage of Rs. 93 noted on 10-11-1975 and the complaint of the learned counsel for the workman appears to be that the Management has not adduced sufficient evidence to show the shortage of Rs. 93 but it is pointed out by the Management that both Sivaramakrishnan and the Development Manager have stated that the balance of cash prior to 8-11-1975 was Rs. 108.50 and on 10-11-1975 when the cash was checked there was only Rs. 15.50. In the circumstances, it is not incumbent on the Management to produce all necessary records to prove only the further part of shortage specially when this fact has been specifically admitted by the delinquent under Ex. M-4. Even the latest decision of the Supreme Court reported in 1981—(58)—F.J.R. Page 358 (State of Haryana and another vs. Rattan Singh) the Supreme Court has pointed out that the sufficiency of evidence in proof of the finding by a domestic Tribunal is beyond scrutiny. On the contrary, there is ample acceptable evidence to show the shortage of Rs. 93. Again it is stated that after all the case of the Management is built only on interested testimony. Courts have repeatedly pointed out that even in cases where crimes like murder are involved the evidence of witnesses cannot be brushed aside merely on account of their interested nature. On the other hand, the oral evidence is cogent, natural and probable. It must be pointed out that the delinquent himself has repaid the money under Ex. M-6 and

he himself has prepared the credit voucher Ex. M-7. If in fact the sum of Rs. 93 did not belong to the Bank there was no need to pay the amount into the Bank's account. The Supreme Court has often pointed out the Tribunal is not a sitting as an appellate or revision authority on the findings rendered at the domestic enquiry. The latest decision of the Supreme Court reported in 1981 (58) F.J.R. Page 358 (State of Harayana and others vs. Rattan Singh) has laid down that all materials logically probative are permissible and hearsay evidence having reasonable nexus and credibility is permissible and that in a domestic enquiry the strict and sophisticated rules of evidence under the Indian Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible and there is no allergy to hearsay evidence provided it has reasonable nexus and credibility. The simple point is—was there some evidence or was there no evidence in a fair commonsense way as men of understanding and worldly wisdom will accept. On an anxious and careful consideration of the entire evidence oral and documentary, I am unable to come to the conclusion that the findings arrived at by the Enquiry Officer are perverse or based on no evidence whatsoever.

9. In paragraphs 25, 26 and 27 of the claim statement, it is stated that reinstatement of the workmen should be ordered. But there is no specific plea that even if the findings are held to be not perverse and based on evidence the Tribunal should resort to Section 11-A of the Industrial Disputes Act, 1947. The submission of the learned counsel for the Management Thiru Gopalan is while the Tribunal has enough jurisdiction under Section 11-A of the Industrial Disputes Act, 1947 grant relief in suitable cases, such power should not be exercised without a specific plea in this behalf or unasked for. In the latest decision of the Supreme Court reported in 1980—(57) F.J.R. Page 67 (Surendra Kumar Verma and others vs. Central Government Industrial Tribunal-cum-Labour Court, New Delhi and another) the Supreme Court has pointed out that ordinarily, a workman who has been retrenched in contravention of the law is entitled to reinstatement with full back wages. But that is not the situation here. Therefore the Management is thus at a distinct disadvantage in not being in a specific position to answer to the argument addressed at the time of hearing referring to Section 11-A of the Industrial Disputes Act. In this regard it should also be remembered that in paragraph (23) of the counter statement the Management has stated that if on any reason this Tribunal should come to the conclusion that the domestic enquiry is not fair or reasonable on any technical plea the Management should be given an opportunity to adduce evidence in support of the charge of misconduct levelled against the Petitioner. Moreover, in paragraph (25) of the counter statement, the Management clearly points out that regard being had to the previous conduct of the Petitioner and the Management is being a financial institution the relief of re-instatement should not be ordered under any such circumstances. There is no controversy that once before the workman was found to have committed gross misconduct of stealthily removing cheque leaves. The Management is a financial institution. In the circumstances, there is considerable force in the argument of the learned counsel for the Management Thiru Gopalan that the grave misconduct committed by the workman should not be viewed leniently.

10. In the result, an Award is passed holding that the dismissal of Thiru C. Sreekumaran Nair by the Management is justified and that the workman is not entitled to any relief.

Dated, this 1st day of July, 1981.

Sd/-

T. SUDARSANAM DANIEL, Presiding Officer.
[No. L-12012/45/77-D, II(A)]

WITNESSES EXAMINED

For both parties: None.

DOCUMENTS MARKED

For workmen :

Ex. W-1 —Order of the Managing Director of the Bank on the appeal preferred by the workman. (true copy).

For Management

- Ex. M-1 —Extract from Chapter XIV of the Bipartite Settlement, dated 10-10-1966.
- Ex. M-2/33-5-74 —Staff Circular No. 2577 of the Bank to all Branches enclosing notice empowering the Enquiry Officer and others to take disciplinary action.
- Ex. M-3/10-11-75 —Report of Thiru R. Sivaramkrishnan against the workman.
- Ex. M-4 —Statement of the workman before the Development Manager of the Bank (in Malayalam).
- Ex. M-4(e) —English translation of Ex. M-4.
- Ex. M-5/11-11-75 —Post Card requesting for sanction of 2 days' leave (in Malayalam).
- Ex. M 5(a)/11-11-75 —English translation of Ex. M-5.
- Ex. M-6/15-11-75 —Letter from the workman to the Development Manager of the Bank returning Rs. 93 (in Malayalam).
- Ex. M-6(e)/15-11-75 —English translation of Ex. M 6.
- Ex. M-7/15-11-75 —Challan for payment of Rs. 93/.
- Ex. M-8/21-11-75 —Letter from the workman to the Development Manager of the Bank requesting not to recover L.I.C. premiums from his salary with L.I.C. receipt dt. 14-11-75. (In Malayalam).
- Ex. M-8(a)/21-11-75 —English translation of Ex. M-8.
- Ex. M-9/24-11-75 —Charge sheet issued to the workman.
- Ex. M-10/25-11-75 —Letter appointing Thiru M.K. Satyamurthy to conduct enquiry into the charges alleged against the workman.
- Ex. M-11/31-12-75 —Enquiry notice issued to the workman.
- Ex. M-12/5-1-76 —Letter from the workman to the Enquiry Officer requesting to postpone the enquiry by 15 days. (in Malayalam).
- Ex. M-12(e)/5-1-76 —English translation of Ex. M-12.
- Ex. M-13/5-1-76 —Letter from the workman to the Enquiry Officer requesting to grant 15 days' further time to attend the enquiry. (in Malayalam).
- Ex. M-13(a)/5-1-76 —English translation of Ex. M-13.
- Ex. M-14/8-1-76 —Letter from the Bank to the workman.
- Ex. M-15/19-1-76 —Explanation of the workman to Ex. M-9.
- Ex. M-16 —Enquiry proceedings.
- Ex. M-17/22-1-76 —Findings of the Enquiry Officer.
- Ex. M-18/24-1-76 —Statement of the workman filed before the Enquiry Officer.
- Ex. M-19/24-1-76 —Proceedings of hearing as regards nature of punishment to be imposed on the workman.
- Ex. M-20/12-4-76 —Order of punishment imposed on the workman by the Enquiry Officer.

- Ex. M-21/13-4-76 --Order of the Assistant General Manager of the Bank confirming the order in Ex. M-20.
- Ex. M-22/7-6-76 --Appeal of the workman submitted before the Appellate authority.
- Ex. M-23/8-1-77 --Letter from the workman to the Chairman and Managing Director of the Bank requesting for reinstatement.
- Ex. M-24/9-1-77 --Reply letter from the Bank to Ex. M-23.
- Ex. M-25/10-11-75 --Report of the Development Manager of the Bank to the Regional Manager about the workman.
- Ex. M-26/10-9-74 --Order of the Enquiry Officer stopping increments of the workman for three years, permanently.

T. SUDARSANAM DANIEL, Presiding Officer

S.O. 2106.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bangalore, in the industrial dispute between the employers in relation to the management of Vijaya Bank, Bangalore, and their workman, which was received by the Central Government on the 13th July, 1981.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated 6th July, 1981

Central Reference No. 8 of 1980

I PARTY

Workman Sri N. Sukumar Jain,
represented by Shri T. Thanaji
Shetty, Executive Committee
Member, Vijaya Bank Employees'
Association, Vijaya Bank
Limited, Hubli.

--VS--

II PARTY

The Chairman,
Vijaya Bank,
Administrative Office,
No. 2, Residency Road,
Bangalore—560025.

APPEARANCES

For the I Party :—Sri S. Krishnaiah/Sri B. V. Putte Gowda,
Advocates, Bangalore.

For the II Party :—Sri V. K. Calla, Advocate, Bangalore.

REFERENCE

(Government Order No. L-12012/149/79-D.II.A dt. 1-10-80)

AWARD

The Central Government have made a Reference of the dispute between the parties for adjudication on the following points :—

“Whether the action of the management of Vijaya Bank, Administrative Office, Bangalore in transferring Shri N. Sukumar Jain, Clerk at Broadway Branch in Hubli Region of the bank to Assangi Branch or Bijapur District in Poona Region is justified? If not, to what relief is the workman concerned entitled?”

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2. When the matter was posted for filing Claim Statements, the Advocate for the I Party workman filed a Memo to say that the dispute is settled out of Court and the Reference may be rejected as not pressed. As the dispute is settled there is no question of adjudication on the Point of Reference, and hence, the same is rejected. Parties to bear their own costs.

V. H. UPADHYAYA, Presiding Officer,

[No. L-12012/149/79-D.II(A)]

New Delhi, the 20th July, 1981

S.O. 2107.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on the 14th July, 1981.

BEFORE JUSTICE SHRI S. R. VYAS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR (M.P.).

Case No. CGIT/LC(R)(12)/1981.

PARTIES :

Employers in relation to the management of State Bank of India, Murhatal, Jabalpur (M.P.) and their workman.

APPEARANCES :

For workman—Shri S. K. Rao, Advocate

For management—Shri Gulab Gupta, Advocate and Shri G. C. Jain, Advocate.

INDUSTRY : Bank .. **DISTRICT : Jabalpur (M.P.)**

AWARD

The Government of India vide its order No. L-12012(104)/80-D.II.A, dated 20 March, 1981 referred the following dispute to this Tribunal for adjudication :—

“Whether transfer of Shri B. K. Gupta, Clerk from Satna to Beohari by the management of State Bank of India, Murhatal, Jabalpur, is justified? If not, to what relief is the employee entitled?”

2. After notices of this reference were issued to the workman and the Bank Management, The management appeared through Shri Gulab Gupta, Advocate on 8-6-81 and none appeared for the workman. On the adjourned date Shri S. K. Rao, Advocate appeared and stated that the workman, who had instructed him to appear, has since died. In view of the death of the workman the question was whether any adjudication of the dispute is necessary. Having heard the counsel I am of opinion that considering the nature of the dispute no adjudication is necessary.

3. The dispute referred to for adjudication related to the justification or otherwise of the transfer of the Bank's workman from one place to another. Since the workman has since after the reference of the dispute died, no adjudication on the disputed question of justification or otherwise of the transfer survives.

4. Accordingly the award is that consequent upon the death of the workman the reference does not survive and no adjudication of the dispute is in the aforesaid circumstances called for.

S. R. VYAS, Presiding Officer

Dated 8-7-1981.

[No. L-12012/104/80-D.II(A)]

N. K. VPRMA, Desk Officer

नई दिल्ली, 13 जुलाई, 1981

कां०आ० 2108.—खान अधिनियम, 1952 (1952 का 35) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री जे०पी० कश्यप को मुख्य खान निरीक्षक के अधीन खान निरीक्षक के रूप में नियुक्त करती है।

[सं० ए०-12025/2/80-एम०-1]

New Delhi, the 13th July, 1981

S.O. 2108.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Shri J. P. Kashyap as Inspector of Mines subordinate to the Chief Inspector of Mines.

[F. No. A-12025/2/80-M.I]

नई दिल्ली, 16 जुलाई, 1981

कां०आ० 2109.—सर्वश्री एन०के०सिंह और जी०वी० धुर्वे प्रबंधक प्रमाण पत्र के और श्री आर०के० राय सर्वेक्षक प्रमाणपत्र के धारक हैं;

और श्री एन०के०सिंह उसी कोयला खान में 9 मई, 1978 तक प्रबंधक एवं अधिकर्ता के रूप में नियोजित थे और सर्वश्री जी०वी० धुर्वे तथा आर०के० राय, 17 अगस्त, 1978 तक उक्त कोयला खान में क्रमशः प्रबंधक एवं अधिकर्ता और खान सर्वेक्षक के रूप में नियोजित किए गए थे।

और केन्द्रीय सरकार ने कोयला खान विनियम, 1957 के विनियम 25 के अनुसरण में, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii), तारीख 12 मई, 1979 में यथा प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का०आ० 1542 तारीख 26 अप्रैल, 1979 द्वारा धन-बांध में यह जांच करने के लिए एक व्यायालय नियुक्त किया था कि वह यह अवधारित करे कि क्या सर्वश्री एन०के०सिंह, जी०वी० धुर्वे और आर०के० राय ऐसे प्रमाणपत्र धारण करने योग्य हैं।

और अब, केन्द्रीय सरकार की यह राय है कि उक्त जांच रद्द की जा सकती है;

अतः, अब, केन्द्रीय सरकार, कोयला खान विनियम, 1957 के विनियम 25 के अनुसरण में उक्त अधिसूचना को विरुद्धित करती है।

[सं० का० 12014/5/79-एम० 1]

जे०के० जैन, धन्य सचिव

New Delhi, the 16th July, 1981

S.O. 2109.—Whereas Sarvashri N. K. Singh and G. V. Dhurde who are both holders of Manager's Certificate and Shri R. K. Roy who is a holder of Surveyor's Certificate;

And whereas Shri N. K. Singh was employed as Manager-cum-Agent in the Industry Colliery upto the 9th May, 1978 and Sarvashri G. V. Dhurde and R. K. Roy were employed in the said Colliery on the 17th August, 1978 as Manager-cum-Agent and Surveyor of Mine respectively;

And whereas a Court was appointed by the Central Government in pursuance of regulation 25 of the Coal Mines Regulations, 1957, vide notification of Government of India in the Ministry of Labour No. S.O. 1542, dated the 26th April, 1979 published in the Gazette of India Part II, section 3, sub-section (ii) of the 12th May, 1979, to hold an inquiry at Dhanbad to determine as to whether Sarvashri N. K. Singh, G. V. Dhurde and R. K. Roy are fit to hold such certificates;

And whereas the Central Government is now of the opinion that the said inquiry may be dropped;

Now therefore, in pursuance of regulation 25 of the Coal Mines Regulations, 1957, the Central Government hereby rescinds the said notification.

[No. F-12014/5/79-MI]

J. K. JAIN, Under Secy.

नई दिल्ली, 14 जुलाई, 1981

कां०आ० 2110.—संविधान के अनुच्छेद 239 के खंड (1) के अनुसरण में, राष्ट्रपति जो निदेश देते हैं कि दिल्ली, अरुणाचल प्रदेश, अंडमान और निकोबार द्वीपसमूह, लक्षद्वीप, दादरा और नागर हवेली, गोवा, दमन और दीव, मिजोरम, पॉन्डिचेरी और चंडीगढ़ संघ राज्य क्षेत्रों के प्रशासन, राष्ट्रपति जी के नियंत्रण के अध्याधीन, अन्तराष्ट्रियक प्रवासी कर्मकार (नियोजन का विनियमन और सेवा की शर्तें) अधिनियम, 1979 (1979 का 30) के अधीन अपने अपने संघ राज्य क्षेत्रों में राज्य सरकार के अधिकारों का प्रयोग करेंगे और राज्य सरकार के कार्य करेंगे।

[सं० एम० 45025/3/80-एन० डब्ल्यू०]

New Delhi, the 14th July, 1981

S.O. 2110.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Administration of the Union territories of Delhi, Arunchal Pradesh, Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, Goa, Daman and Diu, Mizoram, Pondicherry and Chandigarh shall, subject to the control of the President, exercise the powers and discharge the functions of the State Government under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) within their respective Union territories.

[No. S-45025/3/80-LW]

नई दिल्ली, 16 जुलाई, 1981

कां०आ० 2111.—डेका श्रम (विनियमन और उत्पादन) केन्द्रीय नियम, 1971 के नियम 3 के साथ पठित डेका श्रम (विनियमन और उत्पादन) अधिनियम, 1970 (1970 का 37) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, श्रम राज्य मंत्री, श्रीमती राम दुलारी सिन्हा की श्री पी०एम० हबीब मोहम्मद के स्थान पर केन्द्रीय सलाहकार श्रम बोर्ड के अध्यक्ष के रूप में नियुक्त करना है और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या कां०आ० 2087 तारीख 16 अगस्त, 1980 में निम्नलिखित संशोधन करना है, अर्थात्:—

"1. श्रीमती रामदुलारी सिन्हा

श्रम राज्य मंत्री—अध्यक्ष"

[सं० एम०-16025/35/81-एम० डब्ल्यू०]

हंसराज छाबड़ा, निदेशक

New Delhi, the 16th July, 1981

S.O. 2111.—In exercise of the powers conferred by section 3 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) read with rule 3 of the Contract Labour (Regulation and Abolition) Central Rules 1971, the Central Government hereby appoints Shrimati Ramdulari Sinha, Minister of State for Labour as the Chairman of the Central Advisory Contract Labour Board vice Shri P. S. Habeeb Mohamed and makes the following amendment in the notification of Government of India in the Ministry of Labour No. S.O., 2087 dated the 16th August, 1980, namely:—

"1. Shrimati Ramdulari Sinha,
Minister of State for Labour...Chairman"

[No. S-16025/35/81-LW]

HANS RAJ CHHABRA, Director.

नई दिल्ली, 17 जुलाई, 1981

कां० प्र० 2112:—केन्द्रीय सरकार, लोह अयस्क खान और मैंगनीज अयस्क खान श्रम कल्याण निधि अधिनियम, 1976 (1976 का 61) की धारा 10 के अनुसरण में 31 मार्च, 1981 को समाप्त होने वाले वर्ष के दौरान उक्त अधिनियम के अधीन वित्तपोषित क्रियाकलापों की निम्नलिखित रिपोर्ट उस वर्ष के लेखा विवरण के साथ इसके द्वारा प्रकाशित करती है।

भाग—I

(क) माधारण :—लोह अयस्क खान श्रम कल्याण उपकर अधिनियम, 1961 लोह अयस्क पर उपकर के उद्ग्रहण और संग्रहण का तथा लोह अयस्क खनन उद्योग में कार्य करने वाले श्रमिकों के कल्याण की अभिवृद्धि करने के क्रियाकलाप के वित्त पोषण का उपबन्ध करने के लिए अधिनियमित किया गया था। अधिनियम पहली अक्टूबर, 1963 को प्रवृत्त हुआ था और पहली अक्टूबर, 1964 को उसका विस्तार गोवा, दमण और दीव संघ राज्य क्षेत्र को कर दिया गया। पूर्वोक्त अधिनियम लोह अयस्क खान और मैंगनीज अयस्क खान श्रम कल्याण उपकर अधिनियम, 1976 (1976 का 55) और लोह अयस्क खान और मैंगनीज अयस्क खान श्रम कल्याण निधि अधिनियम 1976 (1976 का 61) द्वारा प्रतिस्थापित कर दिया गया है। नए अधिनियमों में निर्धारित किए गए और अन्तर्देशीय उपयुक्त लोह अयस्क के प्रति मीटरी टन पर अधिक में अधिक एक रुपया और मैंगनीज अयस्क के प्रति मीटरी टन पर छह रुपये की दर से उपकर उद्ग्रहण करने का उपबन्ध किया गया है। किन्तु उद्ग्रहण की वर्तमान दर लोह अयस्क पर प्रति मीटरी टन 25 पैसे और मैंगनीज अयस्क पर प्रति मीटरी टन 1 रु० है। उपकर के आगमों का उपयोग मुख्य रूप से लोक स्वास्थ्य और स्वच्छता में सुधार, रोग निवारण, शैक्षिक सुविधाओं और चिकित्सीय सुविधाओं की व्यवस्था और उनमें सुधार और जल प्रदाय योजनाओं, गामाजिक दशाओं में बेहतररी और आसोव-प्रसोव आदि की सुविधाओं के उपबन्ध आदि के लिए किया जाता है। कल्याण सुविधाएं सीधे नियोजित कर्मचारियों या ठेकेदारों के माध्यम से नियोजित कर्मचारियों को दी जाती हैं।

2. उपकर, निर्धारित किए गए लोह/मैंगनीज अयस्क पर सीमा शुल्क के रूप में और अन्तर्देशीय रूप में उपयुक्त लोह/मैंगनीज अयस्क पर उत्पाद शुल्क के रूप में उपभाग उपकर उद्ग्रहण किया जाता है। कल्याण आयुक्तों को भी अन्तर्देशीय उपभाग उपकर के संग्रहण के प्रयोजनार्थ उपकर आयुक्तों के रूप में घोषित किया गया है और उनकी अधिकारिता भी अधिसूचित की गई है। सीमा शुल्क के रूप में कल्याण उपकर का संग्रहण सीमा शुल्क विभाग द्वारा किया जाता है जिसे संग्रहण प्रभाग के रूप में 1 प्रतिशत दिया जाता है।

(ख) कल्याण कार्य :—विविध श्रमिकों के अधीन कल्याण कार्य नीचे दिए गए हैं, जिन पर वर्ष के दौरान कल्याण निधि से पूरी खर्चाई गई है।

(i) चिकित्सीय सुविधाएं :—

1000 रुपये प्रतिमास मूल वेतन पाने वाले लोह अयस्क/मैंगनीज अयस्क श्रमिकों तथा उनके आश्रितों को चिकित्सा सुविधाएं संगठन द्वारा सुप्त की जा रही थी। कर्मचारियों और उनके आश्रितों को, संगठन द्वारा लोह अयस्क/मैंगनीज अयस्क उत्पादक राज्यों में स्थापित निम्नलिखित अस्पतालों/श्रीषधालयों, आदि में चिकित्सीय सुविधाएं निःशुल्क उपलब्ध कराई गई हैं :—

बिहार :

- (1) केन्द्रीय अस्पताल, बड़जामदा (50 शैयाएं)
- (2) जल चिकित्सा श्रीषधालय, बड़जामदा।
- (3) एलोपैथिक श्रीषधालय, करमवाड़ा (बराइबूक के समीप)
- (4) एलोपैथिक, नूडवा।

उड़ीसा :

- (1) केन्द्रीय अस्पताल, जोड़ा (50 शैयाएं)।
- (2) प्राथमिक स्वास्थ्य केन्द्र, जाहरी।
- (3) जल चिकित्सा श्रीषधालय, बारबिल।
- (4) दो एम्बुलेंस गाड़ी।
- (5) प्राथमिक स्वास्थ्य केन्द्र, तुआगाव।
- (6) बादम पहाड़ स्थित-ब-बल अस्पताल यूनिट।
- (7) प्राथमिक स्वास्थ्य केन्द्र, टोमका।
- (8) प्राथमिक स्वास्थ्य केन्द्र, त्रिगोरा।

महाराष्ट्र :

- (1) प्राथमिक स्वास्थ्य केन्द्र रेडी।
- (2) एक एम्बुलेंस गाड़ी।

मध्य प्रदेश :

- (1) जल चिकित्सा श्रीषधालय, रबहारा।
- (2) जल चिकित्सा श्रीषधालय, बैलाडिला (डिपोजिट सं० 14)।
- (3) जल चिकित्सा श्रीषधालय, बैलाडिला (डिपोजिट सं० 5)।
- (4) तीन एम्बुलेंस गाड़ियां।

कर्नाटक :

- (1) केन्द्रीय अस्पताल, करिमनूर (25 शैयाएं)।
- (2) जल चिकित्सा श्रीषधालय, हामपेट।
- (3) जल चिकित्सा श्रीषधालय, मन्दूर।

गोवा :

- (1) केन्द्रीय अस्पताल, पिल्लियम, दर बन्दोरा, गोवा (20 शैयाएं)
- (2) तीन एम्बुलेंस गाड़ियां।
- (3) जल चिकित्सा श्रीषधालय, विरत्तुन्नरम।

पिल्लियम, दर बन्दोरा, गोवा में 20 शैयाओं वाले अस्पताल का विस्तार 50 शैयाओं वाले अस्पताल के रूप में किया गया है; भवन का निर्माण पूरा हो गया है। विस्तारित अस्पताल के लिए कर्मचारी और अन्य उपकरण भी ही उपलब्ध किए जाएंगे।

इसके अतिरिक्त, लोह अयस्क/मैंगनीज अयस्क खनिकों और उनके कुटुम्ब के सदस्यों के प्रयोग के लिए टी०बी० सैनेटोरियमों और अन्य अस्पतालों में शैयाओं का आरक्षण जारी रखा गया। बिहार क्षेत्र के लिए ऐसी 45 शैयाएं और उड़ीसा क्षेत्र के लिए 32 शैयाएं, महाराष्ट्र क्षेत्र के लिए सैनेटोरियम रांची में उपलब्ध है। इसी प्रकार महाराष्ट्र में सेंट ल्यूक्स अस्पताल, बेन्गुरुवा में भी 2 शैयाएं आरक्षित रखे गए हैं। मध्य प्रदेश में खनिकों और उनके आश्रितों के प्रयोग के लिए हिन्दुस्तान स्टील लिमिटेड के भिवार्ड स्थित मुख्य अस्पताल में 4 शैयाएं और जिला मुख्यालय अस्पताल त्र्यम्बर में 5 माधारण शैयाएं आरक्षित की गई हैं।

आन्ध्र प्रदेश में लोह अयस्क और मैंगनीज अयस्क खनिकों को चिकित्सीय सुविधाएं प्रदान करने के लिए एक डाक्टर की अग्रशालिक सेवाएं जारी रखी गईं।

आवृत्त वर्ष के दौरान लोह अयस्क खान और मैंगनीज अयस्क खान श्रमिकों तथा उनके आश्रितों को चिकित्सीय सुविधाओं की व्यवस्था करने के लिए 54.69 लाख रुपये खर्च हुए।

(ii) आवास सुविधाएं :

लोह अयस्क और मैंगनीज अयस्क खनिकों के लिए आवास की आवश्यकता संगठन के मुख्य कार्यपालकों में से एक कार्यपालक है। तीन योजनाएं हैं प्रती (1) हम जंगल अंगण योजना (टाइप-I)

(2) नई आवास योजना (टाइप—II) और (3) अपना मकान बनाओ योजना। टाइप—I मकान की अनुमानित लागत 6825 रुपये है। (काली कपास वाली या उभार वाली मिट्टी वाले क्षेत्र में 7925 रुपये है)। जबकि टाइप—II मकान की अनुमानित लागत 11,325 रुपये है। काली कपास वाली या उभार वाली मिट्टी वाले क्षेत्र में 13,425 रुपये है।

अपना मकान बनाओ योजना के अन्तर्गत मकान की अनुमानित लागत 1500 रु० है। 600 रुपये आर्थिक सहायता के रूप में और 900 रुपये बिना व्याज के ऋण के रूप में दिए जाते हैं।

2. केन्द्रीय मलाश्रय बोर्ड ने आवास कार्यक्रमों की पुनरीक्षा करने के लिए उप समिति गठित की है। रिपोर्ट प्राप्त हो गई है और विचार-धीन है।

3. निधि के स्थापन से विभिन्न आवास स्कीमों के अधीन 13047 मकानों के निर्माण की मंजूरी दी गई थी। अब तक 10300 मकान तैयार हो चुके हैं और 1650 मकान निर्माणाधीन हैं। आलोच्य वर्ष में आवास सुविधाएं प्रदान करने के लिए निधि से कुल 60.13 लाख रुपये की व्यय हुआ।

(iii) जल प्रदाय सुविधाएं—निधि के स्थापन से विभिन्न क्षेत्रों में मंजूरी की गई 43 जल प्रदाय स्कीमों में से, 29 जल प्रदाय स्कीमों काम रही है जिसमें यह सुचित किया गया है कि षेण योजनाएं प्रगति पर हैं। अब तक विभिन्न क्षेत्रों में 37 कुए खोदे गए हैं। आलोच्य वर्ष के दौरान जल प्रदाय स्कीमों पर कुल 0.46 लाख रुपये खर्च किए गए हैं।

4. शैक्षणिक और आरोग्य-प्रमोद की सुविधाएं—लौह/मंगनीज अयस्क खान कर्मचारियों और उनके कुटुम्बों के लिए शैक्षणिक और आरोग्य-प्रमोद की सुविधाओं में, जिनका खर्च निधि से किया जाता है 39 बहुउद्देशीय संस्थान 3 कल्याण केन्द्र, 6 महिला व बाल कल्याण केन्द्र, 12 खेल चित्र यूनिट, 2 अवकाश आवास गृह और 161 रेडियो केन्द्र सम्मिलित हैं। मध्य प्रदेश क्षेत्र में खानों के मालिकों को खेलकूद, खेल, टूर्नामेंट आदि के आयोजन के लिए सहायता अनुदान मंजूर किए गए हैं। अनुमानित स्कीम के अनुसार, लौह/मंगनीज अयस्क खान श्रमिकों के उन बानकों को भी छात्रवृत्ति देते की सुविधा जारी रखी गई, जो विद्यार्थियों, महा-विद्यालयों और तकनीकी संस्थाओं में अध्ययन कर रहे हैं। मध्य प्रदेश, गोवा और उड़ीसा तथा बिहार क्षेत्रों के स्कूलों के बच्चों को मध्याह्न भोजन देते की स्कीम जारी रखी गई। इस स्कीम को महाराष्ट्र क्षेत्र में भी शुरू किया गया है। मध्याह्न भोजन की दर 7.5 पैस प्रति बालक प्रतिदिन है। कुछ क्षेत्रों में लौह अयस्क खानों के प्राथमिक स्कूल में पहले वाले बालकों के लिए वरिधियां भी दी गई हैं। आलोच्य वर्ष के दौरान इन सुविधाओं पर कुल 12.13 लाख रुपये की राशि खर्च की गई।

(5) अन्य कार्यकलाप

केन्द्रीय उपभोक्ता सहकारी भंडार, जिसके विहार में चार प्रारम्भिक भंडार हैं, लौह अयस्क खान श्रमिकों के लाभ के लिए काम करना रहा है।

(ग) घातक और गंभीर दुर्घटना लाभ योजना

दुर्घटना के शिकार हुए व्यक्तियों की विधवाओं और बच्चों को आर्थिक सुविधाएं देने की योजना भी आलोच्य वर्ष के दौरान जारी रखी गई।

रुपये

रुपये

पहली अप्रैल, 1980 की अवधि

2,25,87,917.24

1981 के दौरान प्राप्ति

1,12,97,674.

80-81 के दौरान व्यय

1,54,56,256.13

31 मार्च, 1981 की अवधि

1,84,29,240.79

रुपये—III

वर्ष 1981-82 के लिए प्राप्ति और व्यय के प्राक्कन।

रुपये

1. प्राक्कनित प्राप्ति

1,20,00,000.00

2. प्राक्कनित व्यय

3,35,43,000.00

[काकल सं० एच० 12015/2/81-एम० 4]

रामेश्वर कुमार दास, अध्यक्ष, नरिय

New Delhi, the 17th July, 1981

S.O. 2112.—In pursuance of section 10 of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976), the Central Government hereby publish the following report of the activities financed under the said Act, during the year ending the 31st day of March, 1981 together with a statement of accounts for that year.

PART I

(a) General: The Iron Ore Mines Labour Welfare Cess Act 1961 was enacted to provide for levy and collection of cess on Iron Ore for financing activities to promote the Welfare of the Labour working in the Iron Ore Mining industry. The Act came into force on the 1st October, 1963 and was extended to the Union Territory of Goa, Daman and Diu on the 1st October 1964. The aforesaid Act has been replaced by the Iron Ore Mines and Manganese Ore Mines Labour Welfare Cess Act 1976 (55 of 1976) and the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976). The new Acts provide for the levy of a cess at a rate not exceeding one rupee per metric tonne of Iron Ore and rupees six per metric tonne on Manganese Ore exported or consumed internally. However, the present rate of levy is 25 paise per metric tonne on iron ore and Re. 1 per metric tonne on manganese ore. The proceeds of the cess are utilised mainly for improvement of public health and sanitation, prevention of diseases, provision and improvement of educational facilities, medical facilities, housing and water supply schemes, amelioration of social conditions, provision of recreational facilities etc. The Welfare facilities cover workers employed directly or through contract.

2. The cess is levied as a duty of customs on the Iron Ore and Manganese Ore exported, and as a duty of excise on Iron Ore/Manganese Ore consumed internally. The Welfare Commissioners have also been declared as Cess Commissioners and their jurisdictions have been notified for purposes of collection of cess on internal consumption. The collection of welfare cess as a duty of customs is made by the Department of Customs who are paid $\frac{1}{2}$ per cent towards collection charges.

(b) Welfare activities: The Welfare activities under different heads financed during the year from the welfare funds are indicated below:

(i) Medical facilities:—Medical facilities to Iron Ore and Manganese Ore workers getting a basic pay of Rs. 1000 per month and their dependents were being provided free by the organisation. Facilities were made available to the workers and their dependents in the following hospitals/dispensaries etc. established by the Organisation in different iron ore/manganese ore producing states:

Bihar

- (1) Central Hospital, Barajamda (50 beds)
- (2) Mobile Medical Dispensary, Barajamda
- (3) Allopathic Dispensary, Karampada (near Barajamda)
- (4) Allopathic Dispensary, Nuia

Orissa

- (1) Central Hospital, Joda (50 beds)
- (2) Primary Health Centre, Joruri
- (3) Mobile Medical Dispensary, Barbil
- (4) Two Ambulance Vans
- (5) Primary Health Centre, Nuagaon
- (6) Static-cum-Mobile Medical Unit at Badampahar
- (7) Primary Health Centre, Tomka
- (8) Primary Health Centre, Jigora

Maharashtra

- (1) Primary Health Centre, Redi
- (2) One Ambulance Van

Madhya Pradesh

- (1) Mobile Medical Dispensary, Rajhara
- (2) Mobile Medical dispensary, Bailadila (Dep. No. 5)
- (3) Mobile Medical Dispensary, Bailadila (Dep. No. 14)
- (4) Three Ambulance Vans

Karnataka

- (1) Central Hospital, Kariganur (25 bedded)
- (2) Mobile Medical Dispensary, Haspet
- (3) Mobile Medical Dispensary, Sandur

Goa

- (1) Central Hospital, Pilliem, Darbandora, Goa (20 beds)
- (2) Three Ambulance Vans
- (3) Mobile Medical Dispensary, Virchunderem

The 20 beds hospital, Pilliem, Darbandora, Goa has been expanded to 50 beds Hospital. Construction of building has been completed. Staff and other equipment for the expanded hospital will be in position shortly.

Besides, beds were continued to be reserved for the exclusive use of Iron Ore/Manganese Ore miners and their families in T.B. Sanatoria and other hospitals. 45 such beds for Bihar region and 32 beds for Orissa region are available in the Mahadevi Birla Sanatorium, Ranchi. Similarly, 2 beds have also been reserved at St. Lukes Hospital, Vengurla in Maharashtra. In Madhya Pradesh, 4 beds were reserved in the Bhilai main hospital of the Hindustan Steel Limited and 5 general beds were reserved in the District Headquarters Hospital at Keonjhar for the use of miners and their dependents.

The services of a part-time doctor was also continued for providing medical services to the Iron Ore and Manganese Ore Workers in Andhra Pradesh.

A total expenditure of Rs. 54.69 lakhs was incurred on the provision of medical facilities to the Iron Ore Mines and Manganese Ore Mines workers and their dependents during the year under report.

(ii) Housing Facilities

Provision of housing accommodation for iron ore and manganese ore miners is one of the main activities of the Organisation. There are three schemes viz.

- (i) Low cost Housing Scheme (Type I)
- (ii) New Housing Scheme (Type II) and
- (iii) Build Your Own House scheme.

The estimated cost of Type I house is Rs. 6825/- (Rs. 7925/- in black cotton or swelly soil area). While the estimated cost for Type II house is Rs. 11,325/- (Rs. 13425/- in black cotton or swelly soil area). The estimated cost of house under Build Your Own House scheme is Rs. 1500/- (Rs. 600/- is paid as subsidy and Rs. 900/- as interest free loan).

2. The Central Advisory Board had constituted a Sub-Committee to review the Housing Programmes. The report has been received and is under examination.

3. Under the various housing schemes, a total number of 13047 houses had been sanctioned for construction from the inception of the Fund. Out of these 10300 houses have so far been completed and 1650 houses are under construction. The total expenditure from the Fund for providing housing facilities in the year under report was Rs. 60.13 lakhs.

(iii) Water Supply Facilities

Out of 43 water supply scheme sanctioned in various regions since the inception of the Fund, 29 water supply schemes are in operation. The rest were reportedly in progress. 87 wells have so far been sunk in the different regions. The total expenditure on water supply schemes during the year under report was Rs. 0.46 lakhs.

(iv) Educational And Recreational Facilities :

The educational and recreational facilities provided to the iron/manganese ore mine workers and their families which were financed from the Fund included 39 Multipurpose Institutes, 3 Welfare Centres, 6 Women-cum-Children Welfare Centres, 12 Cinema Units, 2 Holiday Homes and 164 Radio Centres. Grants-in-aid were sanctioned to mine owners for organising sports, games, tournaments, etc. in the Madhya Pradesh region. Scholarships were also continued to be given to the children of iron/manganese ore mine workers studying in schools, colleges and technical institutions in accordance with the approved scheme. The mid-day meals scheme for the school children was continued in Madhya Pradesh, Goa and Orissa & Bihar regions. This scheme has also been introduced in Maharashtra region. The rate of supply of mid-day meals is 75 paise per child per day. Uniforms were also supplied to the Primary School going children of iron ore miners in some regions. The total amount spent on these facilities during the year under report was about Rs. 12.13 lakhs.

(v) Other activities :The Central Consumer Cooperative Store with four primary stores in Bihar region and 2 primary stores in Goa region continued to function for the benefit of iron ore mine workers.

(c) Fatal and serious accident benefit scheme :

The scheme for financial benefits to widows and children of victims of accidents was also continued during the year under report.

PART—II

Opening balance as on 1st April, 1980	Rs. 2,25,87,817.24
Receipt during the year 1980-81	Rs. 1,12,97,679.68
Expenditure during the year 1980-81	Rs. 1,54,56,256.13
Closing balance as on 31st March, 1981	Rs. 1,84,29,240.79

PART—III

Estimates of Receipts and Expenditure for the year 1981-82

1. Estimated receipts	Rs. 1,20,00,000.00
2. Estimated expenditure	Rs. 3,35,43,000.00
[F. No. H-12015/2/81-M. IV]	
R. K. DAS, Under Secy.	

New Delhi, the 18th July, 1981

S.O. 2113.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Bagdigi Colliery of Messrs Bharat Coking Coal Limited, at and Post Office Lodna, District Dhanbad and their workmen, which was received by the Central Government on the 13th July, 1981.

BEFORE SHRI J. P. SINGH, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

Reference No. 19 of 1981.

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Bagdigi colliery of Messrs Bharat Coking Coal Limited at and Post office Lodna, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate,

On behalf of the workmen—Shri M. M. Mallick, General Secretary, Coal Mines Engineering Workers Association, Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 6th July, 1981.

AWARD

This is a reference under Section 10 of the I.D. Act, 1947. The Central Government by its notification No. L-20012/226/80-D.III(A) dated 11th March, 1981 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Bagdigi colliery of Messrs Bharat Coking Coal Limited, at and Post Office Lodna District Dhanbad in dismissing Shri Sahaban Ali, Fitter helper with effect from the 4th March, 1974 is justified? If not to what relief is the said workman entitled?"

2. After the receipt of the reference parties were directed to file their respective written statement. But when the case was fixed for hearing the parties appeared before the court on 30-6-81 and filed a memorandum of settlement incorporating therein the terms of settlement arrived at between the parties in respect of the industrial dispute pending for adjudication in this Tribunal. As per the settlement Shri Sahaban Ali, Fitter helper was reinstated in his existing capacity without any

back wages. The concerned workman will be given continuity of service for the purpose of payment of gratuity and seniority. Since the settlement is beneficial to the parties, I accept the same. Accordingly I pass the award in terms of the settlement which will form part of the award.

J. P. SINGH, Presiding Officer,
[No. L-20012/226/80-D.III(A)]

Memorandum of agreement arrived at between the Management and the workman, Sri Sahaban Ali, represented by Sri M. M. Mallick, General Secretary, Coal Mines Engineering Assn. on 3rd. Feb. 81, in the Office Room of the General Manager, Lodna Area.

Short recital of the case

Shri Sahaban Ali, Fitter Helper of Bagdigi Colliery was charge-sheeted vide charge-sheet o. 62/7 dated 26-9-1973 for alleged theft of Company's materials. He was found guilty in course of enquiry proceeding and he was dismissed from services of the Company vide letter No. nil dated 4th March 1974. At the same time Police Authority initiated the case after receipt of F.I.R. from the management and subsequently he was acquitted by the Court. In the meantime he raised an Industrial Dispute before the Asstt. Labour Commissioner (C), Dhanbad, vide file No. 1/130/80-E-5 dated 8th April, 1980. Negotiation/discussion was held on various dates and finally it ended in failure.

On the initiative of Management as well as Union representative the matter was discussed at Area level and at Hqrs. level as well. After prolonged discussion on all prog & cons, both the parties agreed to come to a settlement on the following terms & conditions :—

1. That Sri Sahaban Ali, Fitter Helper will be re-instated in his existing capacity i.e. in Cat. II.
2. That the idle period of Sri Sahaban Ali from the date of his dismissal till he resumes his duty will be treated as dies-non.
3. That he will be given continuity of service for the purpose of payment of gratuity & seniority.
4. That he will not be entitled for any payment, whatsoever, for the period of his idleness.
5. That this settlement is in full & final in all respects & it cannot be disputed in future at any cost.
6. That copies of this agreement will be sent to Labour Machinery for registration under relevant section of Industrial Dispute Act.
7. That in case this industrial dispute is referred to any Central Tribunal for adjudication a copy of this agreement which is signed by both the parties will be submitted before the Presiding Officer of the relevant Tribunal so that I.D. may not proceed and taken as disposed of.

On behalf of Management

Sd/-

1. (S. V. Krishnamurthy)
General Manager,
Lodna Area.

Sd/-

2. (Sarvejit Singh)
Personnel Manager,
Lodna Area

On behalf of workman

Sd/-

(M. M. Mallick,
General Secretary,
Coal Mines Engg. Assn.

Sd/-

(Sahaban Ali)

Witness :

1. A. K. Day.
2. Dalip Singh.

का अा 2114—मैदूरा प्राटीमोबाइल वर्कशाप, मैसूर भारत कोकिंग कोल लिमिटेड, गोधुल, डाल्फर कुमुदा, जिला धनबाद के प्रबंधन के मन्त्र विचारकों और उनके कामकाजों के बीच, त्रिवका प्रतिष्ठित

बिहार कोलियरी कामगार यूनियन हिरापुर, झरनापागा, धनबाद कर्मियों है, एक औद्योगिक विवाद विद्यमान है,

और उक्त नियोजकों और कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उप-बंधों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को माध्यस्थ के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थ करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः अब, उक्त अधिनियम, की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थ करार को, जो उसे 7 जुलाई, 1981 को मिला था, एनद्द्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)
पक्षकारों के नाम :

नियोजकों का प्रतिनिधित्व करने वाले : श्री एस०बी० मिश्रा, कार्मिक प्रबंधक,
मैसर्स भारत कोकिंग कोल लि०,
कार्मिक भवन, धनबाद।

कर्मकारों का प्रतिनिधित्व करने वाले : श्री डी० मुखर्जी, सेनेटरी, बिहार
कोलियरी कामगार यूनियन,
धनबाद।

पक्षकारों के बीच लिखित औद्योगिक विवाद को श्री जे० एन० सिमलोटे, क्षेत्रीय आयुक्त (केन्द्रीय), अजमेर (जिन्हें उप मुख्य श्रमायुक्त, धनबाद के रूप में पदोन्नत किया गया है) के माध्यस्थ के लिए निर्देशित करने का करार किया गया है।

1. विनिश्चित विवाद प्रस्तुत विषय :

क्या श्री हसन अंसारी की यह मांग कि उन्हें किए गए कार्य के स्वरूप के आधार पर 21-11-1975 से श्रेणी-V की मजदूरी और 1-8-1979 से श्रेणी-VI की मजदूरी मिलनी चाहिए, न्यायोचित है? यदि हाँ, तो वह किस अनुसूच का हकदार है?

2. विवाद के पक्षकारों का विवरण, जिसमें अंतर्बलित स्थापन या उपक्रम का नाम और पता भी सम्मिलित है।

पक्षकारों के व्योरे

वरिष्ठ परिवहन अधिकारी, केन्द्रीय
आटोमोबाइल वर्कशाप, मैसर्स
भारत कोकिंग कोल लि०,
गोधपुर, डाकघर कुसुंदा, धनबाद।

श्री डी० मुखर्जी, सेनेटरी, बिहार
कोलियरी कामगार यूनियन,
हिरापुर, झरनापागा, धनबाद।

3. कर्मकार का नाम, यदि वह स्वयं विवाद में अंतर्गत्त हो या यदि कोई संघ प्रवर्तित कर्मकार या कर्मकारों का प्रतिनिधित्व करता हो तो उसका नाम

संघ का नाम

बिहार कोलियरी कामगार यूनियन

4. प्रभावित उपक्रम में नियोजित कर्म- कारों की कुल संख्या

200

5. विवाद द्वारा प्रभावित या सम्भावित प्रभावित होने वाले कर्मकारों की प्राक्कथित संख्या

1 (एक)

क्रम यह करार भी करते हैं कि माध्यस्थ का विनिश्चय हम पर बाध्यकर होगा।

माध्यस्थ अपना पंचाट समुचित सरकार द्वारा हम करार के सम्पत्ती राजपत्र में प्रकाशन की तारीख से तीन मास की कालावधि या इतने और समय के भीतर जो हमारे बीच गारम्भिक लिखित करार द्वारा बढ़ाया जाय, वेगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता, तो माध्यस्थ के लिए निर्देश स्वतः रद्द हो जायेगा और हम नए माध्यस्थ के लिए बातचीत करने की स्वतंत्र होंगे।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले कर्मकारों को प्रतिनिधित्व करने वाले
ह०/- ह०/-

एस०बी०मिश्रा, कार्मिक अधिकारी। डी० मुखर्जी

मैं माध्यस्थ के रूप में काम करने के लिए अपनी सहमति देता हूँ।
ह०/-

माक्षी : जे० एन० सिमलोटे,
1. ह०/- अपठनीय उप मुख्य श्रमायुक्त (केन्द्रीय)
2. ह०/- अपठनीय धनबाद।

[स० एन-20012/2/81-बी० iii (ए०)]

ORDERS

S.O. 2114—Whereas an industrial dispute exists between the employers in relation to the management of the Central Automobile Workshop of Messrs Bharat Coking Coal Limited, Godhur, Post Office Kusunda, District Dhanbad and their workmen represented by Bihar Colliery Kamgar Union, Hira-pur, Jharnapara, Dhanbad :

And Whereas the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement :

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement which was received by it on the 7th July, 1981.

AGREEMENT

Under Section 10-A of the Industrial Disputes Act, 1947

BETWEEN

Name of the Parties :

Representing Employer : - Shri S.B. Mitra,
Personnel Manager,
M/s. Bharat Coking Coal Ltd.
Karmik Bhawan, Dhanbad.

Representing workmen/ workman : - Sri D. Mukherjee,
Secretary,
Bihar Colliery Kamgar Union,
Dhanbad.

It is hereby agreed between the parties to refer the following dispute to the Arbitration to Shri J.N. Sinlore, R.L.C. (C), Ajmer (Promoted as Deputy Chief Labour Commissioner Dhanbad)

1. Terms of reference : - Whether the demand of Sri Hassan Ansari that he should get category V wages with effect from 21.11.1975 and Category-VI wages from 1.8.1979 on the basis of nature of job performed by him is justified? If so, what relief he is entitled to?

2. Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

Details of the parties — Senior Transportation Officer,
Central Automobiles Workshop of
M/s. Bharat Coking Coal Ltd.,
Godhur P.O. Kusunda, Dhanbad,
Sri D. Mukherjee
Secretary
Bihar Colliery Kamgar Union
Hirapur, Jharnapara, Dhanbad.

3. Name of the workman in case he himself is involved in the dispute or the name of the Union if any representing the workman or workmen in question :

Name of the Union : Bihar Colliery Kamgar Union.

4. Total number of Workmen employed in the undertaking affected : 200.

5. Estimated number of workmen affected or likely to be affected by the dispute : 1 (one)

We further agree that the decision of Arbitrator will be binding on us.

The Arbitrator shall make his award within a period of three months from the date of publication of this agreement in the official Gazette by the appropriate Government or within such further time as is extended by mutual agreement between us in writing. In case the Award is not made within the period aforementioned the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh Arbitration.

Signature of the
Parties .

Representing Employer : Sd/-(S.B.Hitu)
Personnel Manager.

Representing Workmen : Sd/-

I hereby give my consent as an Arbitrator.

Sd/-

J.N. SIMLOTE
Dy. Chief Labour Commissioner (Central)
Dhanbad

[No. L-20013(2)/81-D.III (A)]

Witnesses:

1) Sd/-
2) Sd/-

कॉ.प्र. 2115:—सैन्ट्रल आटोमोबाइल वर्कशॉप, मैसर्स भारत कोकिंग कोल लिमिटेड, गोधुर, डाकघर कुसुन्दा, जिला धनबाद के प्रबन्ध-तन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व बिहार कोलियरी कामगार यूनियन, हीरापुर, झरनापारा, धनबाद, करती है, एक औद्योगिक विवाद विद्यमान है।

और उक्त नियोजकों और कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को माध्यस्थता के लिए निर्दिष्ट करने का करार कर लिया है और उक्त माध्यस्थता करार की एक प्रति केन्द्रीय सरकार को भेजी गई है।

यह अब, उक्त अधिनियम की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थता करार को, जो उसे 7 जुलाई, 1981 को मिला था, एतद्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)
पक्षकारों के नाम :

नियोजकों का प्रतिनिधित्व करने वाले : श्री एस.बी. मिश्रा, कार्मिक प्रबंधक,
मैसर्स ओ.सी.सी. लि. कार्मिक
भवन, धनबाद।

कर्मकारों/कर्मकार का प्रतिनिधित्व करने वाले : श्री डी. मुखर्जी, सैन्ट्रेटरी, बिहार
कोलियरी कामगार यूनियन,
धनबाद।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद का श्री जे.एन. सिमलोटे, क्षेत्रीय श्रमायुक्त (केन्द्रीय) अजमेर, (जिन्हें उप श्रमा-युक्त, धनबाद के रूप में पदोन्नत किया गया है) के माध्यस्थता के लिए निर्दिष्ट करने का करार किया गया है।

1. विनिर्दिष्ट विवाद ग्रस्त विषय :

क्या श्री कारप्रसाद, आटोमैकेनिक की यह मांग, कि उन्हें किए गए कार्य के स्वरूप के आधार पर 19 दिसम्बर, 1975 से श्रेणी-V की मजदूरी और 1 अगस्त, 1979 से श्रेणी-VI की मजदूरी मिलनी चाहिए, व्याप्यचित है? यदि हाँ, तो वह किस अनुसूची का हकदार है?

2. विवाद के पक्षकारों का विवरण,
जिसमें भन्तर्बन्धित स्थापना या
उपक्रम का नाम और पता भी
सम्मिलित है।

पक्षकारों के व्योरे

वरिष्ठ परिवहन अधिकारी, सैन्ट्रल
आटोमोबाइल वर्कशॉप, मैसर्स
भारत कोकिंग कोल लि.,
गोधुर, डाकघर कुसुन्दा, धनबाद।
श्री डी. मुखर्जी, सैन्ट्रेटरी,
बिहार कोलियरी कामगार यूनियन,
हीरापुर, झरनापारा, धनबाद।

3. कर्मकार का नाम, यदि वह स्वयं
विवाद में अन्तर्गत्त हो या यदि
कोई संघ प्रवर्तित कर्मकार या
कर्मकारों का प्रतिनिधित्व करना
हो तो उसका नाम।

संघ का नाम :

बिहार कोलियरी कामगार यूनियन।

4. प्रभावित उपक्रम में नियोजित 200

कर्मकारों की कुल संख्या

5. विवाद द्वारा प्रभावित या सम्भावित 1 (एक)

व्यक्ति प्रभावित होने वाले कर्म-
कारों की प्राक्कलित संख्या।

हम यह करार भी करने हैं कि मध्यस्थ का विनिश्चय हम पर
आबद्ध कर होगा।

माध्यस्थ अपना पंचाट समुचित सरकार द्वारा इस करार के सरकारी राजपत्र में प्रकाशन की तारीख से तीन मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाये, देगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थता के लिए निर्देश स्वतः रद्द हो जायेगा और हम तब माध्यस्थता के लिए बातचीत करने को स्वतन्त्र होंगे।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले कर्मकारों का प्रतिनिधित्व करने वाले

हो/-

हो/-

एस.बी. मिश्रा, कार्मिक प्रबंधक

डी. मुखर्जी

में मध्यस्थ के रूप में काम करने के लिए अपनी सहमति देता है
साक्षी :

1. ह०/- अपकृतीय
2. ह०/- अपकृतीय

तारीख :

ह०/-

जे० एन० सिमलोटे
उप मुख्य श्रमायुक्त (केन्द्रीय)
धनबाद ।

[सं० एल० 20013/3/81-डी० III (ए)]

S.O. 2115.—Whereas an industrial dispute exists between the employers in relation to the management of the Central Automobile Workshop of Messrs Bharat Coking Coal Limited, Godhur, Post Office Kusunda District Dhanbad and their workmen represented by Bihar Colliery Kamgar Union Hirapur Jharnapara, Dhanbad.

And whereas the said employers and their workmen have by a written agreement under sub-section (1) of section 10 A of the Industrial Disputes Act 1947 (14 of 1947) agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement ;

Now therefore in pursuance of sub-section (3) of section 10A of the said Act the Central Government hereby publishes the said agreement which was received by on the 7th July, 1981.

AGREEMENT

Under Section 10-A of the Industrial Disputes Act 1947

BETWEEN

Name of the Parties :

Representing Employer

Shri S.B. Mitra,
Personnel Manager M/s.
Bharat Coking Coal
Limited Karmik Bhawan
Dhanbad.

Representing Workmen /
Workman

Sri D. Mukherjee,
Secretary
Bihar Colliery Kamgar Union,
Dhanbad.

It is hereby agreed between the Parties to refer the following dispute to the Arbitration of Sri J. N. Simlote, R.L.C. (C), Ajmer (Promoted as Deputy Chief Labour Commissioner Dhanbad).

1. Terms of reference — Whether the demand of Sri Karu Prasad, Automechanic that he should get category-V wages with effect from 19.12.1975 and Category -VI wages with effect from 1.8.1979 on the basis of nature of job performed by him is justified ? If so, what relief he is entitled to ?

2. Details of the Parties to the dispute including the name and address of the establishment of undertaking involved.

Details of the Parties : Senior Transportation Officer,
Central Automobiles Workshop of
M/s. Bharat Coking Coal Limited,
Godhur, P.O. Kusunda, Dhanbad.
Sri D. Mukherjee,
Secretary,
Bihar Colliery Kamgar Union,
Hirapur, Jharnapara, Dhanbad.

3. Name of the Workman in case he himself is involved in the dispute or the name of the Union, if any, representing the Workmen or Workman in question :

Name of the Union : Bihar Colliery Kamgar Union .

4. Total number of Workman employed in the undertaking affected : 200.

5. Estimated number of workman affected or likely to be affected by the Dispute : 1 (one)

We further agree that the decision of Arbitrator will be binding on us.

The Arbitrator shall make his award within a period of three months from the date of publication of this Agreement in the official Gazette by the appropriate Government or within such further time as is extended by mutual Agreement between us in writing. In case the Award is not made within the period aforementioned the reference to Arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh Arbitration.

Signature of the Parties.

Representing Employer

Sd/- (S.B.Hitu),
Personnel Manager.

Representing Workmen : Sd/-

I here by give my consent as an Arbitrator.

Sd/-

J.N.SIMLOTE, Dy. Chief Labour Commissioner (C)
DHANBAD.

Witnesses :

- 1) Sd/-
- 2) Sd/-

[No.L-20013(3)81-D.III (A)]

का० प्रा० 2116.—मुदामडीह प्रोजेक्ट, मैसर्स भारत कोकिंग कोल लिमिटेड, डाकघर मुदामडीह, जिला धनबाद के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व कोलियरी मजदूर सभा आफ इंडिया, डाकघर मुदामडीह, जिला धनबाद करती है, एक औद्योगिक विवाद विद्यमान है;

और उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को माध्यस्थ के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थ करार को एक प्रति केन्द्रीय सरकार को भेजी गई है;

अतः, अब, उक्त अधिनियम की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थ करार को, जो उसे 7 जुलाई, 1981 को मिला या, एमद्द्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)
पक्षकारों के नाम

नियोजकों का प्रतिनिधित्व करने वाले : श्री पी०एन० सिंह, धरिष्ठ कार्मिक अधिकारी, मुदामडीह एरिया, मैसर्स बी०सी०सी०लि०, डाकघर, मुदामडीह जिला धनबाद ।

कर्मकार/यूनियन का प्रतिनिधित्व करने वाले : 1. श्री प्रमो प्रकाश सिंह, सैनेटरी ।
2. बी०सी० महातो, ज्वाइंट सैनेटरी, कोलियरी मजदूर सभा

आफ इंडिया (सीटू), सुदाम-
डीह ब्रांच, डाकघर सुदामडीह,
जिला धनबाद।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री जे०एन०
सिमलोटे, क्षेत्रीय श्रमायुक्त (केन्द्रीय), अजमेर [जिन्हें उप मुख्य श्रमा-
युक्त (धनबाद) के रूप में परामर्श किया गया है] के माध्यम्यम के लिए
निर्देशित करने का करार किया गया है।

1. विनिश्चित विवाद प्रस्त विषय :

यथा कर्मकार/यूनियन की यह मांग कि श्री दुलाल सुपरकार
को अपनी ह्यूटी शुरू करने की अनुमति दी जाए और उसे सारी
पिछली मजदूरी के साथ बहाल किया जाए, न्यायोचित है? यदि
हां, तो वह किस अनुतोष का हकदार है?

2. विवाद के पक्षकारों का विवरण, महाप्रबंधक, सुदामडीह एरिया, मैसर्स जिसमें संतर्भलित स्थापन या उपक्रम भारत कोकिंग कोल लि०, डाक- का नाम और पता भी सम्मिलित घर सुदामडीह (धनबाद) । है।

पक्षकारों के व्योरे

श्री ओम प्रकाश सिंह, सैक्रेटरी,
कोलियरी मजदूर सभा आफ
इंडिया (सीटू), सुदामडीह
ब्रांच, डाकघर सुदामडीह (धन-
बाद)।

कर्मकार का नाम, यदि वह स्वयं कोलियरी मजदूर सभा आफ इंडिया
विवाद में अंतर्भूत हो या यदि (सीटू)।
कोई संघ प्रसंगत कर्मकार या
कर्मकारों का प्रतिनिधित्व करता
हो तो उसका नाम।

संघ का नाम :

4. प्रभावित उपक्रम में नियोजित 3000 कर्मकारों की कुल संख्या

5. विवाद द्वारा प्रभावित या सम्भाव- 1 (एक) व्यतः प्रभावित होने वाले कर्म- कारों की प्राक्कलित संख्या

हम यह करार भी करते हैं कि मध्यस्थ का विनिश्चित हम पर
आबद्ध कर होगा।

मध्यस्थ अपना पंचाट समुचित सरकार द्वारा इस करार के सरकारी
राजपत्र में प्रकाशन की तारीख से तीन मास की कालावधि या इसने
और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा
बढ़ाया जाये, देगा। यदि पूर्व बणित कालावधि के भीतर पंचाट नहीं
दिया जाता तो माध्यस्थम के लिए निवेश स्वतः रह हो जायेगा और
हम नए माध्यस्थम के लिए बातचीत करने को स्वतन्त्र होंगे।

पक्षकारों के हस्ताक्षर

ह०/-

ह०/-

ह०/-

ह०/-

नियोजकों का प्रतिनिधित्व करने वाले

कर्मकारों का प्रतिनिधित्व करने वाले

ह०/-

ह०/-

पी०एन०सिंह, 30-5-81

ओम प्रकाश सिंह, 30-5-81

सैक्रेटरी, सी०एम०आई०,

सीटू से संबद्ध

ह०/-

को० महातो, 30-5-81

मैं मध्यस्थ के रूप में काम करने के लिए अपनी सहमति देता हूँ।
साक्षी :

1. ह०/- अपक्षीय

2. ह०/- अपक्षीय

ह०/-

जे० एन० सिमलोटे,

उप मुख्य श्रमायुक्त (केन्द्रीय)

धनबाद।

[सं० एन० 20013/4/81-डी० III (ए०)]

S.O. 2116—Whereas an industrial dispute exists between the
employers in relation to the management of Sudamdih Project of
Messrs Bharat Coking Coal Limited, Post Office Sudamdih,
District Dhanbad and their workmen represented by Colliery
Mazdoor Sabha of India, Post Office Sudamdih, District Dhanbad;

And whereas the said employers and their workmen have by
a written agreement under sub-section (1) of section 10-A of the
Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the
said dispute to arbitration and have forwarded to the Central
Government a copy of the said arbitration agreement;

Now therefore, in pursuance of sub-section (3) of section
10-A of the said Act, the Central Government hereby publishes
the said agreement which was received by it on the 7th July,
1981.

AGREEMENT

Under Section 10-A of the Industrial Disputes Act, 1947

BETWEEN

Name of the Parties :

Representing Employer

— Shri P.N. Singh,
Sr. Personnel Officer,
Sudamdih Area of M/s.
B.C.C. Ltd., P. O. Sudamdih,
Distt. Dhanbad.

Representing Workman/Union.

1. Shri Omprakash Singh,
Secretary,
2. B.C. Mahato,
Jt. Secretary,

Colliery Mazdoor Sabha of
India, (CITU), Sudamdih
Branch, P.O. Sudamdih,
Distt. Dhanbad.

It is hereby agreed between the parties to refer the following
dispute to the Arbitration of Shri J.N. Simlote, R.L.C. (C),
Ajmer [Promoted as Dy. Chief Labour Commissioner (C),
Dhanbad.].

(1) Terms of reference

— Whether the demand of the
workman/ Union that Shri
Dulal Sypkar should be allow-
ed to resume his duties and
should be reinstated with all
back wages is justified? If
so, what relief he is entitled
to?

(2) Details of the parties to the dispute including the name and
address of the establishment or undertaking involved :

Details of the Parties :

— The General Manager,
Sudamdih Area of M/s.
Bharat Coking Coal Limi-

ted, P.O. Sudamdih (Dhanbad)
Shri Omprakash Singh,
Secretary,
Colliery Mazdoor Sabha of
India (CITU) Sudamdih
Branch, P.O. Sudamdih
(Dhanbad).

- 3) Name of the Workman in case he himself is involved in the dispute or the name of the Union, if any, representing the Workman or workmen in question :

Name of the Union : Colliery Mazdoor Sabha of India (CITU)

- 4) Total number of workmen employed in the undertaking affected 3000.
5) Estimated number of Workmen affected or likely to be affected by the Dispute : 1 (one)

We further agree that the decision of Arbitrator will be binding on us.

The Arbitrator shall make his award within a period of three months from the date of Publication of this Agreement in the Official Gazette by the appropriate Government or within such further time as is extended by mutual Agreement between us in writing. In case the Award is not made within the period aforementioned the reference to Arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh Arbitration,

Signature of the Parties

Representing Employer — Sd/-

Representing Workmen : — Sd/- Secretary, C.M.S.I.
Affiliated to C.I.T.U.

I hereby give my consent as an Arbitrator.

Sd /-

(J. N. SIMLOTE)

Dy. Chief Labour Commissioner (Central) DHANBAD

Witnesses :

- 1) Sd /-
2) Sd /-

[No. L-20013 (4) /81-D.III(A)]

New Delhi, the 20th July, 1981

S.O. 2117.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of New Jeenagora Colliery of Messrs Bharat Coking Coal Limited, Post Office Khas Jeenagora, District Dhanbad and their workmen, which was received by the Central Government on the 14th July, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (NO. 1) AT DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 3 of 1978

PARTIES :

Employers in relation to the management of New Jeenagora Colliery of Messrs Bharat Coking Coal Limited, Post Office Khas Jeenagora, District Dhanbad.

AND

Their Workmen.

PRESENT :

Mr. Justice B. K. Ray (Retd.) Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

State : Bihar.

Industry : Coal.

Dhanbad, the 8th July, 1981

AWARD

By Order No. L-20012/69/74-LR, II/D. III(A), dated the 13th January, 1978, the Central Government being of opinion that an industrial dispute existed between the employers in relation to the management of New Jeenagora Colliery of Messrs Bharat Coking Coal Ltd., P.O. Khas Jeenagora, Distt. Dhanbad and their workmen in respect of the matter specified in the schedule attached to the order referred the same for adjudication to this Tribunal. The schedule attached to the order reads thus :

“Whether the action of the management of Jeenagora Colliery of Messrs Bharat Coking Coal Limited, Post Office Khas Jeenagora, District Dhanbad in stopping from work of Shri Gopal Chandra Bouri, Fan Khalasi, from 11th November, 1971, is justified? If not, to what relief is the said workman entitled?”

2. After notice to the parties they have filed their respective written statements. The union besides its written statement has filed a rejoinder.

3. The case of the union is as follows. The colliery in question which is a coking coal mine was taken over by the Central Government on 17-10-71 and was subsequently rationalised with effect from 1-5-1972. Before take over the colliery was being operated by private owner. During the period of private management the private owner was taking recourse to all sorts of unfair labour practices according to which very few workmen were allowed to be permanent, most of the workmen were kept on temporary rolls, and by changing their names periodically the management was depriving them from statutory benefits. While the colliery was under private management the concerned workman was employed in the capacity of a fan khalasi since May 1969 and continued in that capacity till 18-9-1971 in 7 Seam Incline and thereafter he was assigned the duties of an Attendance Clerk during III shift in the shaid Incline. Till 18-9-1971 the name of the workman was entered in the register of the private management as Gopal Prasad, but when he was assigned the job of an Attendance Clerk his name was entered in the register of the company as Gopal Chandra Bouri. Therefore Gopal Prasad, Fan Khalasi and Gopal Chandra Bouri, Attendance Clerk were one and the same person. On 3-11-71 when the concerned workman reported for his duty he was told by the shift incharge that the colliery manager had stopped his duty. Thereafter when the concerned workman approached the colliery manager on 4-11-71 the latter did not assign any reason as to why he had stopped the concerned workman from duty. Even then the workman continued to represent his case before the management from time to time by several letters. None of the representations was of any effect. Ultimately the union took up the case of the concerned workman and represented his case before the A.L.C. (C) who invited parties for discussion. The management on being invited by the A.L.C. expressed before him that it would settle the dispute amicably. When even in spite of this representation the management did not settle the dispute the union again represented the case of the workman before the Assistant Labour Commissioner and this was on 16th March, 1973. In the conciliation proceeding which followed the management on 10-4-74 made out a case in the proceeding that Gopal Chandra Bouri

the concerned workman was a badli/casual workman and worked upto 2-11-71. While saying so the management did not state before the A.L.C. under what circumstances the workman was stopped from his duty. Necessarily therefore the conciliation officer sent a failure report to the Central Government. While sending the failure report the A.L.C. did not send the documents that were before him regarding the period of employment of the concerned workman in the concerned colliery prior to 17-10-71. It was on account of this the Ministry informed the parties that the dispute could not be referred for adjudication. Thereafter the union started searching for authentic documents to show that the concerned workman was working in the colliery before take over and in September 1976 it got two photostat copies of attendance registers which showed the workman working in the colliery both before and after take over. One was in respect of 7 Seam Incline in New Jeenagora Colliery for the week ending on 18-9-71 and the other was for week ending on 6-11-71. These two photostat copies were forwarded to the Ministry with another representation of the union on behalf of the workman. Upon this representation the Ministry of Labour forwarded the matter to the R.L.C. (C) to again process the dispute. Accordingly conciliation proceeding was again started and that having yielded no result once again a failure report was sent to the Central Government. It was upon this failure report the Ministry referred the dispute for adjudication to this Tribunal. In the latter conciliation proceeding the management took a plea that B.C.C.L. having become owner of the colliery with effect from 1-5-1972 it could not be held liable for any action prior to 1-5-1972. This stand of the management before conciliation officer was contrary to law. The concerned workman therefore is entitled to be reinstated to the post of Attendance Clerk which he was holding on 2-11-71 with full back wages.

4. The case of the management may be briefly stated thus. The alleged act of termination of the services of the concerned workman having taken place with effect from 2-11-71 the present management-company cannot be held liable for the said act in as much as on that day there was no relationship of employer and employee between the parties. The concerned workman was not a genuine workman of the colliery. He was an inductee and he failed to produce any authentic document to substantiate his claim that he was a regular worker at the time of take over. Immediately after take over of the colliery on 17-10-71 many persons attempted to enter into employment in the colliery through back-door methods. The erstwhile employer with the help of the staff manipulated records and submitted the same to the custodian. In this way many persons who were not real employees in the colliery were shown as regular employees. The custodian who took over the colliery found it difficult in many cases to distinguish between a bona fide employee and an inductee through back-door methods. Where it appeared to the custodian from the records that a certain workman was an inductee through back door methods he was challenged off. The custodian of the colliery called upon the concerned workman to produce authentic document to support his case. The concerned workman having failed to satisfy the custodian that he was a genuine worker was not allowed to do the job of Attendance Clerk in the colliery as it was found by the custodian that the concerned workman had been inducted as a badli/casual workman with a view to get regularised in due course of time. So the workman concerned is not entitled to any relief.

5. In course of hearing management has examined two witnesses and the union two. Besides the aforesaid oral evidence the union has relied upon two photostat copies of two Attendance Registers in Form 'E' which have been marked on admission as Exts. W-1 and W-2. Ext. W-1 is the Attendance Register in which the workman named as Gopal Chandra Bouri has been shown to have worked on 1st, 2nd and 3rd November, 1971. This register is signed by the concerned workman himself. The other attendance register is Ext. W-2 which shows that one workman namely Gopal Prasad worked as a Fan Khalasi for two days in the week ending 18-9-1971. Besides the two documents the union has also relied upon a letter of the colliery manager to the A.L.C. (C) dated 10-4-74 alleged to have been written in course of the conciliation proceeding. This is marked as Ext. W-3. To this document there is an

annexure signed by the colliery manager on 10-4-74 in which a statement about the number of days the concerned workman worked in the colliery upto 2-11-1971 has been given.

6. At the outset I take up the point of law taken by the management in its written statement that the services of the concerned workman having been terminated long before the present management-company became the owner of the colliery in question, the management cannot be held responsible for any act or omission committed by the previous owner. In other words the cause of action for the dispute which is the termination of the workman's services with effect from 3-11-71 having arisen before the present management company became owner of the colliery, the union is not entitled to any relief against the present management. This point of law is no longer res-integra. In the decision reported in 1978 Lab. I. C. 709 (The Workman, Appellant Vs. The Bharat Coking Coal Ltd.) it has been held that where during the pendency of an industrial dispute regarding dismissal of workmen by the management of the colliery before nationalisation, the said colliery was nationalised and vested in Central Government and thereafter in BCCL the Industrial Tribunal was justified by giving an award that the dismissal was unjustified, that B. C. C. L. was liable for back wages with effect from the date of nationalisation when the right, title and interest in respect of the colliery vested in it and that the workmen were entitled to reinstatement with continuity of service. It was further held in that case that Sec. 17 of the Coking Coal Mines (Nationalisation) Act was a special provision relating to workmen and their continuance in service notwithstanding the transfer from private ownership to the Central Government or Government company. Their Lordships of Supreme Court in that case while holding as above observed that Sec. 17 was a statutory protection for the workmen and was express explicit and mandatory. It was further said by their Lordships that from the definition of "workmen" under Sec. 2(s) of I. D. Act it was clear that the dismissed workmen were workmen within the meaning of Sec. 17 of the Mines Act and that it could not be contended that because they had been wrongfully dismissed and were not physically on the roll on the date of take over they were not legally workmen under the new owner. According to their Lordships the statutory continuity of service could not be breached by an wrongful dismissal by the prior employer. This being the position of law the point raised by the management that because the services of the concerned workman in the present case had been terminated long before the present management became the owner of the colliery the workman would not be entitled to relief of reinstatement with full back wages even in the event of a finding that the order of termination of services was illegal and unjustified is no longer tenable.

7. The next important controversial point is about the identity of the concerned workman. The union has produced two documents, namely, Photostat copies of attendance registers for the week ending 18-9-71 and 6-11-71 which have been marked as Exts. W-2 and W-1 respectively on admission. The management does not dispute the genuineness of these two documents. Ext. W-2 shows that shortly before take over of the colliery one Gopal Prasad acted as Fan Khalasi. Union asserts that Gopal Prasad is the same person as Gopal Chandra Bouri the concerned workman. According to the union the private management was in the habit of changing the names of its workman from time to time in order to deprive the workmen from their legitimate dues, such as, bonus etc. This case is supported by oral evidence of two witnesses for the union, namely, WW-1 and WW-2. No suggestion has been made to these two witnesses challenging their statements to that effect. So Mr. S. Bose for the union asserts that Gopal Prasad named in Ext. W-2 is the same person as Gopal Chandra Bouri named in Ext. W-1. On the other hand management's case is that Gopal Prasad is a person different from Gopal Chandra Bouri named in Ext. W-1 who is the concerned workman. Hence the question as to whether Gopal Prasad is the same person as Gopal Chandra Bouri has assumed importance. Management says that Gopal Prasad is a person different from Gopal Chandra Bouri. This Gopal Prasad has not been examined by the management on the plea that his whereabouts is not known. This plea is supported by one of

the management's witness, namely, MW-2. So far as MW-1 is concerned he only says that Gopal Prasad and Gopal Chandra Bouri are different persons. But he admits that he does not recognise Gopal Prasad. If that be so his evidence that Gopal Prasad and Gopal Chandra Bouri are different persons cannot be accepted. MW-2 of course says that he recognises both Gopal Prasad as well as Gopal Chandra Bouri and according to him they are two different persons. His assertion of the witness is seriously challenged in cross-examination by the union. This witness is an electrician alleged to be in charge of all electric installation in the colliery. He says that at the relevant time he had two helpers. But curiously when asked to name those two helpers he fumbles and says that he does not remember their names. This is very strange. One who does not remember the names of his own helpers is not likely to remember the names of other workers. No special reason is given by the witness as to how he recognised Gopal Prasad and how he remembers his name till the date of his deposition. So the assertion of this witness that he knew Gopal Prasad and remember his name cannot be accepted. On the other hand both witnesses for the union have asserted that Gopal Prasad and Gopal Chandra Bouri are not two different persons but are one and the same person namely the concerned workman and that the then management for the purpose of avoiding payment of legitimate dues of the workers described Gopal Chandra Bouri the concerned workman as Gopal Prasad in Ext. W-2. WW-2 who is a co-worker of the concerned workman in the colliery at the relevant time asserts that there was no person as Gopal Prasad different from Gopal Chandra Bouri and that Gopal Prasad and Gopal Chandra Bouri are not two different persons, but mean the concerned workman. In other words according to the witness Gopal Prasad is the same person as Gopal Chandra Bouri. Nothing has been elicited in cross-examination from this witness to discredit him. This evidence of the witness is corroborated by WW-1 the concerned workman. There is absolutely no reason why WW-2 would support the case of the concerned workman WW-1. The oral evidence on the point on the side of the union appears to be more credit worthy than the oral evidence led by the management on the same point. The case of the management that Gopal Chandra Bouri the concerned workman never worked prior to take over and got himself inducted as a badli/casual worker after take over through back door method to get regularised in due course is falsified by the management's own document Ext. W-3(a) a statement filed by the manager in the conciliation proceeding where it is admitted that the concerned workmen did work in the colliery for some time before take over. For these reasons I hold that Gopal Prasad is the same person as Gopal Chandra Bouri the concerned workman.

8. Mr. B. Joshi for the management invites my attention to Para 6 of the written statement of the union wherein it has been stated that the concerned workman was employed in the capacity of a fan khalasi since May 1969 and continued in that capacity till 18-9-71 and thereafter he was assigned the duties of an attendance clerk and argues that in view of the stand taken in the written statement the evidence of the concerned workman WW-1 before the Tribunal that he worked from May 1968 to October 1971 as a Fan Khalasi and thereafter he worked as an Attendance Clerk upto 2-11-71 cannot be accepted. True there is some discrepancy regarding the time since when the concerned workman started working in the colliery as given in the written statement and in the statement given by the workman himself before the Tribunal. This discrepancy is not very much material according to me because the case of the union is that the concerned workman was a regular worker in the colliery on the date of take over and continued to work as such till 2-11-71 and so the termination of his service being arbitrary and unjustified he is entitled to the protection given under Sec. 17 of the Coking Coal Mines (Nationalisation) Act. The positive stand taken by the management as has been noticed earlier is that the concerned workman got himself inducted sometime after take over as a badli/casual worker in order to be regularised in service in due course. The further case of the management is that when it was found out that the concerned workman had been inducted as a badli/casual worker by back-door method the custodian could not give to the workman the protection under Sec. 17 of the Coking Coal Mines (Nationalisation) Act and so his services were terminated with effect from

2-11-71. This being the respective contentions of the parties the discrepancy pointed out by Mr. Joshi between the time when the workman entered service as given in the written statement of the union and the time as deposed by WW-1 is not very material.

Mr. Joshi then argues that the concerned workman never worked as a Fan Khalasi before take over and was inducted as badli/casual worker only after the date of take over to get himself regularised in due course. In this connection he invites my attention to Regulation Nos. 130, 131, 134, 47 and 36(iii) under Coal Mines Regulations 1957. Regulation No. 130 provides for maintenance of ventilation inside a mine, Regulation No. 131 provides for fitting a mechanical ventilator in the mine, Regulation 134 provides for framing of Standing Orders for withdrawal of workmen working inside the mine when ventilation fails and Regulation 47 provides for the duties of mechanical attendants for working of the mechanical ventilators. According to Mr. Joshi Mechanical Attendant in this regulation includes a Fan Khalasi. Regulation No. 36(iii) prescribes that before a person is asked to do the job of a mechanical attendant he must be authorised by the manager of the colliery saying that he is competent to work as a mechanical attendant. A Fan Khalasi who runs the fan has therefore to be authorised by the management before he works as such. Mr. Joshi then relies upon Section 72-A and 72-C of the Mines Act which provide for penalty in case of violation of the regulations mentioned above. On the basis of these provisions it is contended by Mr. Joshi that if the concerned workman did actually work as a Fan Khalasi as deposed by union's witnesses and as evident from Ext. W-2 he should have been authorised by the management before working as a Fan Khalasi. Therefore it was incumbent on the union to produce the authorisation in writing of the then manager saying that the concerned workman was competent to run the Fan. No such document has been produced by the union. Non-production of the document therefore is fatal to the union's case that the workman worked for sometime as a Fan Khalasi before take over. Management in the present case does not dispute the genuineness of the attendance register Ext. W-2 wherein it is shown that the concerned workman worked as Fan Khalasi for sometime before take over. It is on account of management accepting the genuineness of the document the same has been marked on admission as an exhibit for the Union. The case of the union that concerned workman worked as a Fan Khalasi prior to take over is not only supported by the concerned workman himself in his evidence but by another workman of the colliery examined by the union as WW-2. This being the position it may be said that when the colliery in question was under the private management the manager under the private management was not following the regulations strictly and was allowing persons not authorised by him to run a fan. This irregularity would not affect the workman's right once he is employed to do a particular job. Nothing has been shown that allowing the workman without an authorisation certificate from the manager to work as a Fan Khalasi in a mine is illegal and that an appointment without authority is no appointment at all. May be for violation of the regulations the owner of the mine or its manager is liable to punishment under Sec. 72-A and 72-C of the Mines Act. But the appointment of a man as a workman in the mine who, is asked to run a fan without authorisation certificate from the manager does not become invalid. In the present case there is nothing to show that for violation of the provisions of the regulations mentioned above any punishment was inflicted either on the owner of the mine or the manager. Absence of any challenge to the genuineness of the attendance register Ext. W-2 by the management coupled with the oral evidence of the two witnesses examined for the union, leaves no doubt in my mind that the concerned workman was working as a Fan Khalasi for sometime before take over as appears from Ext. W-2, even conceding for the moment that he had no authorisation certificate from the then manager. In view of the fact that genuineness of the Ext. W-2 is admitted by the management it is for management to show that Gopal Prasad who worked as a Fan Khalasi as shown in Ext. W-2 had authorisation certificate from the manager. This has not been shown. On the other hand it appears from the evidence MW-2 the Electrician that at the relevant time there were only four Fan Khalasis, namely, Sukdeo, Ram, Muneswar Singh, Jai Ram and Gopi Mahato and that these four Fan Khalasis had authorisation certificates from the manager. If that be so it is not understood how Gopal Prasad who is now claimed by the union to be the same person as the concerned workman was allow-

ed to work as a Fan Khalasi as evidenced from Ext. W-2. An argument is advanced by Mr. Joshi that Gopal Prasad was simply officiating for one of the four permanent Fan Khalasis as badli/casual worker. But no-body says that Gopal Prasad had any authorisation certificate from the manager. It, therefore, follows that at times according to necessity a manager under the private management was allowing persons to the job of fan Khalasi not having authorisation certificate from the manager notwithstanding the provisions contained in Regulations mentioned above. Therefore non-production of authorisation certificate in favour of the concerned workman cannot be held to be fatal to the union's case as contended by Mr. Joshi and on the basis of evidence of WW-1 and of WW-2 and Attendance Register Ext. W-2 genuineness of which is not disputed I hold that the concerned workman was working as Fan Khalasi for sometime before take over. In this connection it may be said that none of the four permanent fan khalasis named by the witness for the management has been examined to say that the concerned workman never worked as Fan Khalasi at any time before take over. The claim of the management that Gopal Prasad only officiated as a fan khalasi for one of the four permanent fan khalasis for some time is not supported by the document Ext. W-2 the attendance register which the management accepts as genuine. I have already held that Gopal Prasad and Gopal Chandra Bouri mean the concerned workman so it follows that the concerned workman worked as Fan Khalasi before take over as appears in Ext. W-2.

8. The next question which arises for consideration as to whether the workman concerned worked as attendance clerk after take over as claimed by him. On this point the union relies upon photostat copy of attendance register for the week ending 6-11-71 Ext. W-1. This document shows the name of Gopal Chandra Bouri in Serial No. 1 and further shows that he worked for three days i.e. on 1st, 2nd and 3rd November, 1971. Admittedly services of the concerned workman were terminated with effect from 3-11-71 which has led to the present dispute. Management says while accepting the correctness of Ext. W-1 that the concerned workman worked as a badli/casual worker only as an attendance clerk in the absence of the permanent attendance clerk, namely, N. K. Pathak. The witnesses for the management, name N. K. Pathak and some others as permanent attendance clerks in the colliery and according to them as the permanent attendance clerk N. K. Pathak who was to be on duty in the week ending 6-11-71 was absent on the 1st three days of the week, the concerned workman was allowed to work in his place as a badli/casual worker. The document Ext. W-2 does not indicate anything like that although it reveals that N. K. Pathak, Attendance Clerk, was absent for the first three days of the week. The concerned workman is the author of Ext. W-1 and the document bears his signature. According to him the name of N. K. Pathak was not there in the original attendance register of which Ext. W-1 is a copy and he never mentioned the name of Mr. Pathak in the original attendance register. The workman further says that in order to make out a false case against the concerned workman the management got written the name of N. K. Pathak in the original attendance register of which Ext. W-1 is the copy taken long after the dispute arose. The workmen further says that by the time he obtained photostat copy of the attendance register the name of N. K. Pathak had already been introduced into the register and that is why the name of N. K. Pathak appears in Ext. W-1. Mr. Joshi for the management relying upon the evidence of the concerned workman WW-1 saying that the original attendance registers were with him at the time he got photostat copies therefrom argues that the story of subsequent introduction of the name of N. K. Pathak in the attendance register by the management has no leg to stand upon. But in the very next sentence of his evidence the concerned workman WW-1 has said that when he says that the attendance registers were with him he meant that they were in the Attendance Cabin in which he was working. Mr. Joshi says that the subsequent explanation cannot be accepted. It was for the union therefore to produce the original attendance register from the date of take over onwards to show that the concerned workman was on the rolls of the management on the date of take over and was working as an Attendance Clerk. This contention of Mr. Joshi cannot be accepted. Because in the conciliation proceeding the manager of the colliery has produced a statement which has been marked as Ext. W-3(a) in which he has said that the concerned workman worked for six days as attendance clerk in the week end-

ing 6-10-71, for four days as Tub-Checker in the week ending 23-10-71 for six days as Tub-Checker in the week ending 30-10-71 and for two days as Tub-Checker i.e. on 1-11-71 and 2-11-71 in the week ending 6-11-71. This does not support the case of the management that the attendance registers were not with it when the statement Ext. W-3(a) was filed in 1974. If the attendance registers were not available with the management it is not understood how the manager filed the statement Ext. W-3(a) in 1974. Mr. Joshi for the first time to get over the situation argues that there are other records available with the management from which the statement contained Ext. W-3(a) could be prepared by the manager. Nothing has been shown before the Tribunal what are the original documents from which a statement like Ext. W-3(a) could be prepared. The manager who has signed the statement Ext. W-3(a) has not been examined and no reason is assigned for this. Therefore I am constrained to accept the explanation of the concerned workman that when he said that the attendance registers were with him when he prepared the photostat copies Exts. W-1 and W-2 he meant that they were in the Attendance Cabin where he was working. The statement in Ext. W-3 (a) further shows that the management had with it the attendance registers for the period immediately before the date of take over i.e. 17-10-71. In face of all these there can be no escape from the conclusion that the original attendance registers which are relevant documents and which can throw light in the case are with the management and they have been deliberately suppressed. In this connection the evidence of MW-2 may also be seen. This witness says in his evidence that Gopal Chandra Bouri never worked as attendance clerk in the colliery before 17-10-71 although he worked as such thereafter. He further says that he saw the concerned workman working as an attendance clerk in the colliery for two weeks. This must be understood to mean that the period of two weeks during which the concerned workman worked as attendance clerk is subsequent to the date of take over. If a reference is made at this stage to Ext. W-3(a) it is found therefrom that the concerned workman worked as an Attendance Clerk for six days in the week ending on 16-10-71 i.e. in the week just previous to the date of take over. This statement in Ext. W-3 (a) falsifies the assertion of MW-2 that the concerned workman never worked as an attendance clerk before 17-10-71. The same witness has admitted as pointed out above that the concerned workman worked as an attendance clerk for two weeks after take over. Ext. W-3(a) the statement of the manager filed in the conciliation proceeding does not show this. This goes to show that Ext. W-3 (a) cannot be relied upon. MW-1 says that at the relevant time there were only three permanent attendance clerks, namely, P. K. Bose N. K. Pathak and Rajendra Singh and there were four Pump Khalasis, namely, Sukhdeo Ram, Munaswar Singh, Jairam Mahato and Gopi Mahato of whom Gopi Mahato died after take over. This evidence is led in order to show that permanent incumbents being already there in the colliery there was no scope for the concerned workman to do the work either of a fan Khalasi or of an attendance clerk as a regular worker. Therefore, when it appears from Exts. W-1 and W-2 that the concerned workman worked for sometime either as a fan Khalasi or as an attendance clerk it must be taken that he was only working as a badli/casual worker. But none of these permanent incumbents has been examined by the management and no records have been produced to show that persons named by the witness as permanent incumbents were actually on the rolls at the relevant time as permanent workers. I have already pointed out that Ext. W-3 (a) cannot be relied upon at all as it contradicts the oral evidence of the management's witness MW-1 has also admitted that while preparing bills with reference to the attendance register produced before him he was not in position to say if Gopal Chandra Bouri was a permanent incumbent or a badli worker. The witness however says that from the attendance register for the week ending 6-11-71 Ext. W-1 he infers that during absence of N. K. Pathak the concerned workman acted as attendance clerk in his place for three days. I have already said that the attendance register does not show if the concerned workman is a badli/casual worker. MW-1 has himself admitted that from the attendance register he is not in a position to say if Gopal Chandra Bouri was a permanent incumbent or not. That being the position no reliance can be placed on the evidence of the witness MW-1 when he says looking to Ext. W-1 that the concerned workman worked only as a badli/casual worker in the absence of N. K. Pathak when no other reliable documentary evidence available with the management is produced by it to show that the persons named by MW-1 were only

permanent incumbants working as attendance clerks and fan khalasis at the relevant time. It is common knowledge that the management maintains a register for badli/casual workers because such workers if they work for required number of days get permanently employed under the management. So therefore the management could have done well to produce the said register of badli/casual workers and to produce From B Registers maintained by it as well as by the private management before take over to show that the concerned workman was not a permanent incumbent as claimed by him but was only a badli/casual worker. There is no evidence that the private management at the time of take over did not hand over the registers and other documents maintained by it to the custodian. There is also no evidence that the present management did not get the registers and documents, maintained by the private management from the custodian when it took over charge. On the other hand Ext. W-3 (a) the statement of the manager in the conciliation proceeding shows that documents and registers during the period of private management were with the manager with reference to which it prepared the statement. Such being the state of evidence led by the management and no reason being assigned by it for withholding material registers and documents and in view of the discrepancy between the oral evidence led by the management and the statement of the manager Ext. W-3(a) it is not possible to rely upon the management's case that the concerned workman only worked as badli/casual worker and was not a regular worker at the time of take over. It is not disputed that on the termination of services of the concerned workman on 3-11-71 the present dispute has been raised. Nationalisation of the colliery took place on 1-5-1972. Therefore if it is found that the termination of the concerned workman's services with effect from 3-11-71 is illegal and unjustified which has led to the present dispute and that the name of the concerned workman was on the rolls of the management showing him to be a regular workman on 17-10-71 in view of the pronouncement of the Supreme Court in the case referred to above the concerned workman is entitled to reinstatement with full back wages with effect from 1-5-72 the date of nationalisation since when the present management became the owner of the colliery. At the cost of repetition I may state here, once again that the evidence led by the management both oral and documentary are not worthy of any credit. So far as the evidence led by the union is concerned it stands on a better footing and is accepted. The discrepancy pointed out by Mr. Joshi regarding time since when the workman concerned started working in the colliery as given in the written statement of the union and as deposed to by the concerned workman is of very little significance and cannot affect the merit of the case. MW-2 who has not been shaken in cross-examination has supported the case of the union that the concerned workman has been working in the colliery as regular worker long before take over and continued to work as such for some time after take over since when his services were terminated. MW-2 has admitted that the concerned workman acted as attendance clerk for two weeks after take over. I have already said that the statement Ext. W-3(a) of the manager does not represent correct state of things. Not having proved that the concerned workman was only working as a badli/casual worker at times in the absence of regular workers on the basis of the evidence led by the union and on the basis of the evidence of MW-2 to the effect that the concerned workman worked for two weeks after take over I hold that the concerned workman was working as a regular worker long before the take over i.e. atleast from 1969 and continued to work as such still two weeks after take over i.e. upto 3-11-71 whereafter his services were illegally terminated on a pretext that he was only a badli/casual worker. Such termination is not only illegal but unjustified. The concerned workman therefore is entitled to reinstatement as an attendance clerk with back wages from 1-5-1972 till the date of his reinstatement. He is also entitled to have the benefit of continuity of service on the footing as if the termination of his services from 3-11-71 is non-existent.

9. The reference is answered accordingly. In the peculiar circumstances of the case there will be no order for costs.

B. K. RAY, Presiding Officer
[No. L-20012/69/74-LRII/D.III(A)]

S.O. 2118.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial

dispute between the employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad and their workmen, which was received by the Central Government on the 14th July, 1981.

**BEFORE SHRI J. P. SINGH, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
(NO. 2) DHANBAD**

REFERENCE No. 103 of 1979

In the matter of an industrial dispute under Section 10 (1) (d) of the I.D. Act, 1947.

PARTIES : Employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron & Steel Company Ltd., Post office Jamadoba, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the management - Shri S.S. Mukherjee,
Advocate.

On behalf of the workmen — Shri Shanker Bose,
Secretary, Rastriya Colliery
Mazdoor Sangh, Dhanbad.

STATE : Bihar

INDUSTRY : Coal.
Dhanbad, 9th July, 1981.

AWARD

This is a reference under Section 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012/90/79-D. III (A) dated 10th August, 1979 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the demand of the workmen of Jamadoba Colliery of Messrs Tata Iron & Steel Company Limited, Post Office Jamadoba, District Dhanbad for higher remuneration to the daily rated trammers and clipmen, given in annexures "A" and "B" respectively, is justified ? If so, to what relief are the said workmen entitled ?"

ANNEXURE-A

List of trammers of Jamadoba colliery.

Sl. No.	Name	T.No.	Designation
1	2	3	4
	S/Shri		
1.	Ramchandra Singh	23579	Trammer
2.	Kedar	23599	-Do.-
3.	Rajdeo Singh	23512	Do.
4.	Deoki Ram	23606	Do.
5.	Meghnath	23544	Do.
6.	Chattu	23615	Do.
7.	Rajbahadur	23506	Do.
8.	Ghanshyam	23514	Do.
9.	Hari Rewani	23537	Do.
10.	Kalu Mahato	23523	Do.
11.	Sitla Prasad	23519	Do.
12.	Madhu Gope	23545	Do.
13.	Tilku	23657	Do.
14.	Bahal	23670	Do.
15.	Ramangya	23672	Do.
16.	Kanaya Singh	23675	Do.
17.	Rambachan	23676	Do.
18.	Budhu	23681	Do.
19.	Rajpathi	23684	Do.
20.	Purusatham	23688	Do.

1	2	3	4
21.	Rameshwar	23689	Trammer
22.	Ramkaran	23690	Do.
23.	Chandrabali	23691	Do.
24.	Hardeo Singh	23694	Do.
25.	Ramdeo III	23705	Do.
26.	Nari Kumar	23717	Do.
27.	Arjun	23714	Do.
28.	Subal Mahato	23713	Do.
29.	Sukhai	23718	Do.
30.	Sri Ram	23721	Do.
31.	Murli Ojha	23708	Do.
32.	Hari Singh	23724	Do.
33.	Nidhu	23678	Do.
34.	Rashu Dome	27182	Do.
35.	Panchu	26762	Do.
36.	Surujnath II	25645	Do.
37.	Bhakta Bahadur	26847	Do.
38.	Idrish	26959	Do.
39.	Hari Ram	27353	Do.
40.	Ab. Hamid	27203	Do.
41.	Rajendra Paswan	27304	Do.
42.	Om Prakash	27266	Do.
43.	Bistoo	25842	Do.
44.	Samaul	27349	Do.
45.	Rajendra Ram.	27349	Do.

ANNEXURE B

List of clipmen of Jamadoba colliery.

Sl. No.	Name	T. No.	Designation
	S/Shri		
1.	Bhim	26307	Clipman
2.	Gursahai	26300	Do.
3.	Suresh	26305	Do.
4.	Ramabatar II	26302	Do.
5.	Ram Nandan	26224	Do.
6.	Anandi	26303	Do.
7.	Ramsubagh	26083	Do.
8.	Puran Singh	25663	Do.
9.	Biru Singh	26656	Do.
10.	Basdeo II	25561	Do.
11.	Ramu Routh	26654	Do.
12.	Dhanku	26657	Do.
13.	Bikram	26659	Do.
14.	Chandra	26916	Clipman
15.	Bhagwat Das	27142	—do—
16.	Rambatar I	27143	—do—
17.	Rampath	27144	—do—
18.	Jagnarian	27192	—do—
19.	Bhola Mahato	23666	—do—
20.	Jagarnath	23551	—do—
21.	Deosaran	23515	—do—
22.	Bachhu	23607	—do—
23.	Ramdeo Singh	23668	—do—
24.	Bazari	23669	—do—
25.	Sitaram	23673	—do—
26.	Bhagaran	23733	—do—
27.	Nirmal Singh	23702	—do—
28.	Kaleshwar	23677	—do—
29.	Ramrup Singh	23723	—do—
30.	Seonarain	23693	—do—
31.	Bajrangi	23671	—do—
32.	Dukhan Mahato	27032	—do—

2. In annexure A of the schedule of this reference there are 45 trammers and in schedule B there are 32 clipmen of Jamadoba colliery of Messrs Tata Iron and Steel Company Ltd. Both these types of workmen are engaged in operation of mine cars used in Jamadoba colliery. It is an admitted case of the parties that in the coal industry only TISCO introduced for the first time the use of mine car, and that system was introduced only in Jamadoba colliery. In other collieries including those of TISCO only tubs having the capacity of 40.5 cft. and 36 cft. were used. The capacity of mine car is 118 cft. and it is mechanically operated. The use of mine car was introduced after nationalisation of the coal industry by only two collieries of Bharat Coking Coal Limited.

3. The Mazumdar Award of 1956 which determined wages of the different classes of workmen engaged in the coal industry did not make any distinction between mine car, trammers and clipmen on the one hand and the trammers and clipmen who were handling coal tubs of two capacities. Similarly, when the Coal Wage Board recommendations came in 1967 no distinction was made.

4. According to the case of the workmen there was an agreement between their union and the management of TISCO that trammers and clipmen engaged in handling of coal in Jamadoba colliery where mine car was in use would get 30 per cent more as allowance over and above the ordinary rate of wages available to them through Mazumdar award. In paragraph 8 of the rejoinder of the employer to the written statement of the workmen it was admitted that trammers and clipmen of Jamadoba colliery were allowed adhoc allowance but when the Coal Wage Board recommendation came in 1967 the matter of adhoc allowance was considered and the same was merged in the new rates given in the Coal Wage Board recommendation for the purpose of fitment. According to the workmen no adhoc allowance was merged with the pay after the Coal Wage Board recommendation.

5. The workmen represented the case before the management for giving them higher categories or higher remuneration because the job performed by them involved in more skill than the ordinary clipmen engaged in handling of coal through tubs. Since there was no consideration made by the management the union of the workmen raised this industrial dispute before the Assistant Labour Commissioner (Central) Dhanbad and after the failure of the conciliation this reference was made.

6. It is an admitted position that according to the coal wage board recommendation the trammers are in category III and clipmen are in category IV. On behalf of the management evidence has been led to show that mine cars are in use in Munidih and Sudamdih collieries. MW-2 Shri S. N. Sinha has proved two documents, Exts. M4 and M5 to show that mine cars are in use in Munidih and Sudamdih collieries where the trammers are in category III and clipmen are in category IV. Shri Bose appearing on behalf of the union of the workmen has conceded before me that the main trouble between the workmen and the management arose on account of stoppage of adhoc allowance of 30 per cent after introduction of the new wage as recommended by the coal wage board in 1967. It was no doubt true that because the management was not paying 30 per cent of the allowance to these workmen an alternative demand was made that they should be placed in higher categories. But according to him it was made clear even at conciliation stage that these workmen were only demanding higher remuneration based on the ground of 30 per cent adhoc allowance, and it was for this reason that in the reference it was mentioned as to whether the demand for higher remuneration was justified. Shri Bose conceded that this reference is for the purpose that they should be allowed the ad hoc allowance of 30 per cent of their pay from the time when it was stopped i.e. after the commencement of the wage board recommendation. The witnesses examined on behalf of the workmen have only said that they should be given 30 per cent increase in their pay as they used to get before the recommendation of the coal wage board of 1967 was adopted by the TISCO. Shri S. S. Mukherjee, Advocate representing the management has argued that the reference was not maintainable because the terms of reference are vague inasmuch as the demand of the workmen was for higher category but the same has not been included in the reference. I think that the above position taken by Shri Bose would clearly show that the reference is in order because for

all practical purposes the demand of the workmen is to allow them adhoc allowance which according to them has been stopped.

7. We have now to consider the plea taken by the management as to whether the adhoc allowance which these workmen were getting after the introduction of the Mazumdar award as special allowance of 30 per cent of their pay was merged with their pay after the coal wage board recommendation of 1967 was adopted by the TISCO. We have before us a document, Ext. M2. This is an office order of TISCO dated 26-9-67 in respect of implementation of the recommendation of the Central Wage Board for Coal Mining Industry. Paragraph 4 of this order reads thus:

"The adhoc allowance which was being paid to certain employees have been merged with the new rates and therefore no adhoc allowance should be paid to anyone from 15-8-67."

The only difference between the parties is that while the management insists that the adhoc allowance of these workmen have been merged with their pay at the time of fitment in the new scale, the contention of the workmen is that it was never merged with the pay at all. According to the workmen the stoppage of this adhoc allowance by the management was unjustified. In this connection we should refer to Ext. M3 which is a letter dated 2/4th May, 1978 addressed by the Divisional Manager (Collieries) TISCO to the Assistant Labour Commissioner (Central) Dhanbad. The matter of adhoc allowance was clarified in paragraph 4 of this letter which I would like to quote fully for appreciation of the stand taken by the management:

"Certain employees for historical reasons were getting the adhoc allowance after the Mazumdar Award in the year 1956. They continued to get it. It was not only to the Trammers and Clipmen of the colliery but under many other designations. When the Wage Board Recommendations came in the year 1967 the matter was taken up by the union when the fitment problem came in the revised grade. The adhoc allowance which was being paid to certain employees in different categories was merged in the new rates by way of increased salary under Coal Wage Board recommendation and they were fixed up accordingly. The adhoc allowance which was paid historically has no bearing with the categorisation of trammers or clipmen. The Coal Wage Board recommendations did not differentiate between the trammers and clipmen working with mine car and the smaller tub of 40.5 cft. or 36 cft."

Shri Bose has particularly drawn my attention to the statement that the adhoc allowance was merged in the new rates by way of increased salary under the coal wage board recommendation. According to him the above statement would only go to show that the management of TISCO only fixed the wages of these workmen as recommended by the coal wage board because the wages as recommended by the coal wage board of 1967 had increased the salary of trammers and clipmen. He has further argued that it has always been the case of the workmen that the trammers and clipmen of mine cars were not at all given any adhoc allowance nor the adhoc allowance which they were getting were merged with their pay. His grievance is that no document has been produced by the management to show that such an increase was allowed by merging of the adhoc allowance at the time of fitment. In this connection he has further argued that the question of fitment in the new scale had been already considered by the coal wage board recommendation of 1967 under which every workman was to get one increment for every three years of service. Now, if the adhoc allowance was added at the time of fitment these workmen would reach the maximum of their basic time scale of category III and IV much earlier and they were bound to stagnate. He has illustrated by saying that after the 1967 scale there was a wage board agreement which came into effect from 1st of January 1975. In the time scale of these trammers and clipmen if adhoc allowance was added to their basic pay at the time of fitment, they would reach the maximum of the scale much before 1975 and thereby would be put to a loss. At any rate his argument is that they were denied adhoc increase of 30 per cent and they were also denied any fitment in the new scale in addition of this adhoc allowance of 30 per cent. Since the contention of the management could be proved by the document in their possession, the management did not care to produce any document in order to show that the 30

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per cent adhoc allowance was merged with their pay. The argument of Shri Bose further is that these workmen were getting adhoc allowance after the Mazumdar award for the simple reason that they were handling mine car of 118 cft. as against tubs of 40.5 cft or 36 cft. The special reason for the grant of adhoc allowances was on account of the higher skill demanded in operation of mine car and the condition continued even after 1967 when the wage board recommendation came into force. This contention of Shri Bose are no doubt sound and cannot be rejected outright. It is no doubt true that the mine car has a greater capacity than the ordinary tubs used in majority of coal industry. No other reason has been shown as to why the trammers and clipmen of Jamadoba colliery where mine cars were in use even at the time of Mazumdar Award were allowed adhoc allowance and the sum was denied to trammers and clipmen who are handling tubs of the capacity of 40.5 cft. and 36 cft. The contention of the workmen is that this adhoc allowance of 30 per cent was allowed to them by virtue of an agreement between the union of the workmen and the management of TISCO. This is not denied in the written statement of the management. The stoppage of adhoc allowance or the merger of this adhoc allowance with the pay after 1967 should have been after an agreement to that effect between the union of the workmen and the management of TISCO collieries. The office order Ext. M2 does not show that there was any such agreement between the union and the management as a result of which the decision was taken to merge the adhoc allowance with the new scales of pay. Ext. M3 as quoted above, mentions that in the year 1967 the matter was taken up by the union when the fitment problem came in the revised grade. This was denied by Shri Bose and no written agreement has been produced before us by the management. This shows that the management took unilateral decision to merge the adhoc allowance with the revised pay. But even this was not shown by the management by production of necessary document which ought to be in the possession of the management.

8. I have therefore to hold that from 15-8-67 the adhoc allowance to these concerned workmen was stopped by the management of TISCO which they would have ordinarily got. I have further to hold that as ordered under Ext. M2 the adhoc allowance was not merged with the pay of these concerned workmen at the time of fitment in the new scale. It is clear that they are entitled to adhoc allowance of 30 per cent over and above their basic pay from 15-8-67.

8. I have therefore to hold that from 15-8-67 the adhoc allowance of the workmen of Jamadoba colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad for higher remuneration as indicated earlier to the daily rated trammers and clipmen, given in annexure 'A' and 'B' respectively, is justified. Consequently, the concerned workmen, i.e. the trammers and clipmen mentioned in annexures 'A' and 'B' of the schedule are entitled to adhoc allowance of 30 per cent over and above their basic pay from 15-8-1967. This is my award.

J. P. SINGH, Presiding Officer
[No. L-20012/90/79-D.III(A)]

New Delhi, the 21st July, 1981

S.O. 2119.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad and their workmen, which was received by the Central Government on the 16th July, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 11 of 1980

PARTIES:

Employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited Post Office Katrasgarh, District, Dhanbad.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar.

INDUSTRY : Coal.
Dhanbad, the 10th July, 1981

AWARD

By Order No. L-20012(66)/80-D.III(A) dated, the 19th August, 1980, the Central Government being of opinion that an industrial dispute existed between the employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad and their workmen in respect of the matter specified in the schedule attached to the order, referred the same for adjudication to this Tribunal. The schedule to the order reads thus.

"Whether the demand of the workmen of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad that Shri S. N. Chakraborty should be placed in Grade-I (Clerical) is justified? If so, to what relief is the said workman entitled?"

2. After notice to the parties they have filed their respective written statements and the management has filed a rejoinder to the written statement of the union.

3. The case of the union may be briefly stated thus. S. N. Chakraborty the concerned workman was appointed in the year 1961 as permanent clerk in the West Koiludih Colliery. Prior to take over he was working as a clerk Gr. I. While in service he was an active member of Bihar Colliery Kamgar Union. Koiludih Colliery is a non-coking coal mine which was taken over on 31st January, 1973 and was subsequently nationalised on 1st May, 1973 and handed over to M/s. Bharat Coking Coal Ltd, the present management. Officers of the B.C.C.L. were very much against Bihar Colliery Kamgar Union. After nationalisation the present management illegally and arbitrarily re-categorised the concerned workman as Gr. II clerk and started paying accordingly. So the concerned workman represented against this action. On the representation of the concerned workman even though some of the higher officers of the management recommended his case for favourable consideration the management did not reconsider the case. At the time of representing before the management the concerned workman produced documents that were in his possession in support of his case. Statutory registers maintained by the management also showed that the concerned workman was in Grade I. Still then the management refused to grant Grade I to the concerned workman. West Koiludih Colliery in which the concerned workman was working before take over became a part of Akashkinaree Colliery on amalgamation after take over. The act of placing the concerned workman in Grade II by the management is due to ulterior motive of the management to harass the concerned workman for his loyalty to B.C.K.U. When the management ultimately did not take any action on the representations of the concerned workman the union raised a dispute with A.L.C.(C), Dhanbad for conciliation. The conciliation proceeding having ended in failure the dispute has been referred to the Tribunal. In these circumstances the concerned workman is entitled to be placed in Gr. I (Clerical) with retrospective effect and the action of the management denying the workman Gr. I is illegal and arbitrary. The concerned workman is, therefore, entitled to wages of a clerk in Gr. I from the date he is again replaced in Gr. I. Many persons junior to the concerned workman have been promoted to Gr. I though according to management's own policy decision seniority is the only criterion for promotion to Gr. I.

The case of the management as revealed from its written statement is thus. Promotion of a workman from one grade to a higher grade is the function of the management alone and the criterion for such promotion is seniority-cum-suitability. So the union has no locus standi to claim promotion for the concerned workman. The concerned workman was working as a Typist since before take over. According to

Wage Board recommendations a Typist is in Grade II. The custodian after take over examined the cases of all the workmen and fixed them in appropriate grades as per Wage Board's recommendations. The erstwhile employer of the concerned workman had not fixed his workman working under him in proper grades and used to pay wages at fixed rates. When the workman's case was considered by the custodian he was placed in Grade II which was due to him as he was working as a Typist at the time of take over. Before take over the concerned workman was not in any grade. He was getting Rs. 275 per month as basic. After fixing him in the proper grade he started getting all the advantages in that grade and was happy. He never protested at that time. The concerned workman was fixed in the scale of pay as prescribed by NCWA with effect from 1-1-1975. The scale of pay thus fixed was again revised with effect from 1-1-79 according to NCWA-II. After taking all the advantages referred to above the concerned workman has started the present dispute with an ulterior motive. The concerned workman is still working as a Typist and so he belongs to Gr. II. The union has no right to demand Grade I for the concerned workman so long as NCWA is subsisting. A Typist knowing shorthand is promoted to Gr. I and this promotion also depends upon merit-cum-seniority and availability of promotional post. In these circumstances the demand of the union cannot be said to be justified one.

In the rejoinder filed by the management it is said that the concerned workman on the date of take over was a Typist, that the concerned workman was never an active member of the B.C.K.U., that the officers of the management were not biased against the concerned workman, that the concerned workman was not in any grade at the time of take over, that after nationalisation the management implemented the Central Wage Board recommendations in respect of all workmen who had not been covered under the recommendations before, that while implementing Coal Wage Board recommendations the concerned workman was fixed in Gr. II rightly, that the colliery before nationalisation being a very small mine its partners were carrying on clerical jobs in the office, that the concerned workman was not doing the job of a clerk but only of a typist, and that the demand of the workman for his placement in Gr. I with effect from the date of nationalisation is without any basis.

3. In course of hearing of the case the union has only examined the concerned workman and no witness has been examined for the management. Besides the said oral evidence management has relied upon three documents and union on as many as six documents. Mr. D. Mukherjee for the union argues on the basis of the evidence of the concerned workman and the documentary evidence to be referred to later on, that the concerned workman was working as Head Clerk Gr. I and as a cashier under private management. While doing this work he was also doing other jobs. So the workman before take over which took place on 31st January, 1973 was in clerical Gr. I. While doing the job of a clerk Gr. I the concerned workman was being paid the wages of that grade according to Wage Board's recommendations. Reliance is placed by Mr. Mukherjee on Ext. W-5 which is an enquiry report conducted by the management by one of its officers, namely, U. P. Singh, Personnel Officer of the colliery. This report was submitted to the Personnel Manager of Gobindpur Area No. III. In this report the enquiry officer has said that on examination of Form 'X' of 1969 he found that the workman was getting Rs. 265 per month as his basic pay in the month of November 1969 and that from the month of December 1969 his basic pay was increased to Rs. 275 per month i.e. Rs. 10 was given as an increment which indicates that he was in Grade I. According to the Enquiry Officer in the categorisation list of 1973 the workman has been placed in Grade II and his basic pay has been shown as Rs. 275 per month. The conclusion of the Enquiry Officer that the concerned workman was in Gr. I before take over as appears from the report is based only on the fact that in November 1969 the basic pay of the workman was Rs. 265 per month which was increased to Rs. 275 per month thereafter in the month of December 1969. The Enquiry Officer has admitted in his report that nowhere in the records of the private management before take over the grade of the concerned workman has been noted. It is thus clear that the conclusion of the Enquiry

Officer is only based on the fact that in November 1969 the basic pay of the concerned workman was Rs. 265 per month which was increased to Rs. 275 p.m. in the month of December 1969. In this connection it may be noted that according to Wage Board's recommendation the scale of pay Grade I clerical is Rs. 245-10-325-15-380 and the scale of a Grade II is Rs. 205-7-275-10-325. On the basis of the conclusion of the Enquiry Officer Mr. Mukherjee argues that prior to take over the concerned workman was in Gr. I. The Enquiry Report not being challenged by the management Mr. Mukherjee says that the conclusion reached by the Enquiry Officer in his report is final and has to be given effect to by the management. Mr. Mukherjee then relies upon Ext. W-1 certificate issued by one of the partners of the colliery before take over saying that the concerned workman was working under the private management as Gr. I Clerk according to recommendations of the Coal Wage Board. Reliance is also placed on Ext. W-2 a certificate issued by the management of the colliery dated 23-8-71 i.e. before take over saying that the concerned workman was working as Head Clerk-cum-Cashier and was drawing basic salary of Rs. 275 per month at the time when the certificate was granted. In this connection Mr. Mukherjee refers to the endorsement of the manager Ext. W-4(a) in one of the representations of the workman Ext. W-3 saying that the concerned workman is the senior most staff at the place, that he has got the certificate from the ex-owner that he was in Gr. I and was getting Rs. 275 basic and that he may be placed in Gr. I and not in Gr. II. Mr. Mukherjee also relies upon an endorsement Ext. W-5(a) on another representation of the workman Ext. W-5. In this endorsement the claim of the concerned workman has been forwarded to the General Manager by an official of the management for kind consideration. Lastly Mr. Mukherjee relies upon Ext. W-3 identity card issued by the management in favour of the workman dated 19-4-74 in which the concerned workman has been shown to be belonging to Gr. I. It is contended by Mr. Mukherjee that the Form B Register maintained by the management which has not been produced deliberately would have clarified the position and thrown light on the controversy between parties. The management having withheld the document it should be held that had the document been produced it would have gone against the management. It is also argued that in the Wage Board's recommendation a Head Clerk-cum-Cashier is placed in Gr. I and therefore when according to evidence of the workman he was doing the work of a Head Clerk-cum-Cashier during private management there is no reason why he should be categorised in Gr. II. On the basis of these submissions Mr. Mukherjee vehemently contends that the action of the management in placing the concerned workman in Gr. II in the categorisation list Ext. M-2 is not justified and that the workman should be placed in Gr. I from the date of nationalisation.

The case of the management as has been noticed earlier is that Wage Board's recommendations had not been implemented by the private management in the colliery in which the concerned workman was working prior to take over, that during his service under the private management he had not been placed in Grade I as alleged by him and was not being paid wages of that grade and that it was only for the first time after nationalisation under Ext. M-2 the management rightly categorised him in Gr. II by taking into consideration the wages he was drawing from the date of his appointment under the private management till the date of categorisation. Mr. Joshi for the management rightly argues that entry in the identity card Ext. W-3 showing the workman in Gr. I should not be accepted as correct inasmuch as that does not tally with the relevant entry concerning the workman in the identity card register Ext. M-3. In Ext. M-8 in the entry relating to the concerned workman there is no mention of the fact that he belongs to Gr. I. It is not disputed that the identity card issued to the concerned workman is only a copy of the entry in the identity card register. When in the register itself Gr. I is not mentioned. It is not understood how in the identity card produced by the workman Gr. I is written. This shows that there has been some interpolation either by the concerned workman himself or by some body at his instance after the identity card was issued to support the present demand of the workman. In this view therefore the submission of Mr. Joshi that the entry in the identity card register Ext. M-3 should be accepted as genuine and the identity card produced by the union should be rejected appears reasonable as the union does not challenge the genuineness of the Identity Card Register Ext. M-3. Ext.

M-1 the wagesheet for 1972 shows that the basic wage of the concerned workman in 1972 is Rs. 275 per month. This register admittedly belongs to a period when the colliery in question was under private management. The concerned workman has stated in his evidence that while the colliery was under private management he was appointed in 1961 on a pay of Rs. 200 per month, that the management was giving him increment of Rs. 10 whenever it wanted to grant any increment and that on 15-8-67 when the management implemented the recommendations of the Coal Wage Board it fixed his pay at Rs. 245 per month. Mr. Joshi rightly contends that if evidence of the concerned workman that he was appointed in the year 1961 initially on a pay of Rs. 200 per month and that the management was granting him increment at Rs. 10 whenever it wanted to do so is accepted at the worst taking that only one increment had been granted to the concerned workman by 15-8-67 his pay just before implementation of Wage Board's recommendation would be at least Rs. 210. In Vol-I page 83 of the Wage Board's recommendation the manner in which pay of a workman is to be fixed has been indicated. If the workman's evidence is accepted that the private management implemented Wage Board's recommendations then in that case after implementation of the Wage Board on 15-8-67 the wage of the concerned workman would have to be fixed at Rs. 210 plus Rs. 70 representing one-third of his pay at Rs. 210 per month as bonus plus two increments in the Wage Board's scale of Rs. 10 each since the workman was in service from 1961 to 1967 plus 10 per cent increase of his pay before 15-8-67. Therefore when the workman says that his pay on 15-8-67 was fixed at Rs. 245 per month after implementation of the Central Wage Board recommendation he cannot be believed. This contention of Mr. Joshi is perfectly right. The recommendations of the Wage Board indicate the manner in which pay of a workman has to be fixed. If really the recommendations were implemented as claimed by the workman his pay could not have been fixed at Rs. 245 per month as claimed by the workman. As appears from Ext. W-6 the report of the enquiry officer the wages of the workman was Rs. 265 per month in the month of December 1969 and his basic wages were increased to Rs. 275 per month with effect from December, 1969. The wagesheet Ext. M-1 shows that for the whole of the year 1972 the basic pay of the concerned workman was Rs. 275 per month. If really the concerned workman at that time was in Gr. I according to recommendations of the Wage Board his pay for the whole of the year 1972 would not have been Rs. 275 per month with effect from December, 1969. The wagesheet certificates Exts. W-1 and W-2 which are of the year 1973 and 1971 on which the union relies show that the basic pay of the concerned workman as stated in the certificate is Rs. 275 per month. This on the very face of it shows that the claim of the concerned workman that he was put in Gr. I by the private management according to recommendations of the Central Wage Board with effect from 15-8-67 is false because if really he was in Gr. I scale his basic pay both in the years 1971 and 1973 cannot be the same. The nature of work which the workman himself admits to be doing both under the private management as well as after nationalisation as per the recommendations of the Wage Board comes within the duties of a Gr. II Clerk. The unsatisfactory nature of evidence both oral and documentary led by the union does not support its case that the concerned workman was in Gr. I under the private management and was wrongly categorised in Gr. II in 1973 after nationalisation. The enquiry report relied upon by the union which as has already been indicated by me before is only based upon the fact that the workman was drawing in the month of November 1969 a basic pay of Rs. 265 per month and that the same was increased to Rs. 275 per month, in December 1969. This alone cannot decide the question. As has been already stated above neither in November 1969 nor in December 1969, if really the concerned workman was in Gr. I as claimed by the union in the year 1967, his basic pay would be Rs. 265 and Rs. 275 respectively. The identity card I have already held has been interpolated by the workman in order to show that he is in Gr. I and so no reliance can be placed upon it. My conclusion from the state of evidence as led in this case is that the concerned workman was not in any grade before actual categorisation took place in 1973 as per Ext. M-2, that nature of work which the workman was doing before categorisation was that of a clerk in Gr. II and that the wages he was drawing before categorisation were at no stage the wages admissible to a workman in clerical Gr. I accepting the workman's case

that he was appointed by the private management in the year 1961 with an initial pay of Rs. 200 per month. That being so no fault can be found with the management while it placed the concerned workman in Gr. IJ under Ext. M-2 at the time of categorisation. Even though a faint attempt has been made in the pleading of the union that while juniors of the concerned workman have been given Grade I by the management at the time of categorisation the concerned workman has been discriminated by the management by denying Gr. I to him. No evidence has been led by the union in support of this case. It is the case of the management that at the time of categorisation it simply categorised the workmen who had not been categorised before. At the time of categorisation management was not considering cases of promotion. Therefore while holding that the union's case that the concerned workman has been discriminated has not been established I hold that the management's action in categorising the concerned workman in Gr. II after taking into consideration the nature of work done by him and the basic pay drawn by him from time to time is legal and valid. Accordingly the demand of the union to place the concerned workman in clerical Gr. I is held to be unjustified and therefore the workman concerned is not entitled to any relief. The reference is answered accordingly. There will be no orders for costs.

B. K. RAY, Presiding Officer.
[No. L-20012(66)/80-D.III(A)]
A. V. S. SARMA, Desk Officer

आदेश

नई दिल्ली, 20 जुलाई, 1981

कां० 2120—भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या कां० मां० 456 दिनांक 5 फरवरी, 1963 द्वारा गठित श्रम न्यायालय, मुख्यालय हैदराबाद के पीठासीन अधिकारी का पद रिक्त हुआ है।

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केंद्रीय सरकार श्री एन० नीलादरी राव, को उक्त गठित श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[कां० सं० एस-11020/4/81-डी० I ए०]

सजीव दत्ता, प्रवर सचिव

ORDER

New Delhi, the 20th July, 1981

S.O. 2120.—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Labour Court with headquarters at Hyderabad constituted by the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 456 dated 5th February, 1963.

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri V. Neeladri Rao as the Presiding Officer of the Labour Court constituted as aforesaid.

[F. No. S-11020/4/81-DIA]

SANJIV DATTA, Under Secy.

New Delhi, the 24th July, 1981

S.O. 2121.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Bhanakhap Mica Mining Co., P.O. Singer, Distr. Nawadah and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 2 of 1978

PARTIES :

Employers in relation to the management of Bhanakhap Mica Mine,

AND

Their workmen

APPEARANCES :

On behalf of the Employers—Shri R. Prasad, Advocate.

On behalf of the Workmen—Shri J. D. Lall, Advocate.

STATE : Bihar.

INDUSTRY : Mica Mine.

Dhanbad, the 31st December, 1979

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the management of M/s. Bhanakhap Mica Mine and their workmen, has referred to this Tribunal for adjudication by their Order No. L-28012/2/78-D.IIIB dated, the 11th August, 1978 with the schedule extracted below :—

"Whether the action of the management of Bhanakhap Mica Mine, P.O. Singer, District Nawadah of M/s. Bhanakhap Mica Mining Company in dismissing Shri Sidheshwar Singh, Pump Khalasi from 31st March, 1978 is justified and if not to what relief is the aggrieved workman entitled?"

2. Employers as well as the workmen filed their written statements and Exts. M1 to M18 and Exts. W1 to W8 have been marked for the employers and workmen respectively.

3. On 30-12-1977 a chargesheet was given to Shri Sidheshwar Singh, Sirdar-cum Khalasi by the management of Bhanakhap Mica Mining Co. It was to the effect that on 1-12-1977 the concerned workman Shri Sidheshwar Singh had been warned on account of having entered in the official quarter of the highest authority of the mine after breaking open the lock, and thereby had offended section 16(a) (r) and (s) of the Company's Standing Orders. He was also directed to vacate the quarters within 24 hours. This letter dated 30-12-77 was received by Shri Sidheshwar Singh on the same date. This chargesheet is Ext. M4. The reply was submitted by Shri Sidheshwar Singh dated 31-12-77 Ext. M5. It was addressed to the Mines Manager. He took the plea that he had requested the Manager in writing and also orally to allot a quarter to him, but no action was taken so that he had to remain on the verandah of house. On 21-2-77 he again requested Manager and he received an order to open that house, and consequently he has been living in that house. He was surprised to find that on 30-12-1977 he was chargesheeted for misconduct. According to him he never contravened any Company's rules nor he desired to do so. The chargesheet was stated to be baseless. Then there is a Ext. M6 dated 5-1-78 which was letter addressed to Shri Sidheshwar Singh by Shri S. N. Jha, Agent. In this letter it was mentioned that there was no satisfactory reply to the chargesheet and, therefore, domestic enquiry was ordered to be conducted by Shri R. Qasim, Labour Officer, C. H. Ltd. Jhumeritelaia, Ext. M7 is a notice dated 25-1-78 by Shri A. Qasim, Labour Officer intimating Sidheshwar Singh that he would hold enquiry on 30-1-1978 at 3.00 P.M. in the

mines office at Bhanakhap. Ext. M8 is another notice by the Enquiry Officer to the workmen fixing 9-2-78 at the mines office at Bhanakhap for evidence. This was done on account of a petition of the concerned workman Ext. M10 to produce his evidence.

4. A list of witnesses was submitted by the management before the Enquiry Officer on 31-12-1977. Enquiry was conducted by him. The ordersheet of the enquiry is Ext. M13 and the proceeding is Ext. M14. Witnesses namely Stayadeo Singh, Chamai Mahato, Mahabir Barabhai Parmeshwar Barabhai, Chaitar Rajwar, Gita Prasad Jha, Raksha Singh and Sidheshwar Singh are examined on behalf of the workmen. On behalf of the management Shri Birendra Kumar Basiar, M. C. Banerjee, Shri S. N. Jha, G. R. Das, Nageshwar Pandey and Shri Baikuntha Prasad Sinha were examined by the management. Ext. M15 is the report of the Enquiry Officer.

5. The Enquiry Officer found the workman guilty of gross misconduct. Ext. M16 is the letter from the Agent to the concerned workmen dated 22-3-78 forwarding a copy of the report of the Enquiry Officer. Ext. M17 is the reply of the workman to that letter. Ext. M18 is another letter by the Agent to the concerned workman dated 31-3-1978 intimating to him that he was dismissed from service with immediate effect, and he was directed to collect all his dues from the mines office at Jhumeritelaia. It was signed by the concerned workman on 3rd April, 1978. Thereafter there was a conciliation proceeding which failed and this reference was made. Accordingly this reference was made for adjudication.

6. Learned Advocate appearing on behalf of the workmen submitted before me at the outset that he would not challenge the propriety of the domestic enquiry, and therefore, it is held that the enquiry was fair and proper. Arguments have been heard on the merit of the case.

7. It transpires in evidence before the domestic enquiry that quarter in occupation of the concerned workman Shri Sidheshwar Singh was of the Agent. He was overall incharge of the mine where the concerned workman was employed. According to the evidence of Shri Sidheshwar Singh, the concerned workman, he had been given the key of the locked quarter by the Agent himself but none of his witnesses had said a word about it. On the other hand the concerned workman's witnesses have admitted that the quarter was in occupation of the Agent and his nephew lived in the quarter. This statement has been corroborated by the management's witnesses. On 11-2-1978 the Enquiry Officer himself visited the quarter and found that Shri S. N. Jha, Agent was in occupation of the quarter. He also found the belongings of the Agent in the house. It has come out in evidence that by the time the enquiry was held, the quarter was vacated by Sidheshwar Singh and was occupied by the Agent. My attention has been drawn to the letter Ext. M-1, addressed by Sidheshwar Singh to the Manager of the mine. It was stated that if the quarter was not made available to him, he would open the lock of the room in presence of Mukhia and Sarpanch and enter the same. The letter was forwarded to the Agent who gave a warning letter to the workman and also sent a copy of that letter to the Officer-in-charge of Police station and Mukhia, Gram Panchayat. It was followed by another letter Ext. M3 addressed by the Agent directing the concerned workman to vacate the quarter. This followed Ext. M-4 a letter from the Agent asking him to vacate the quarter within 24 hours failing which legal action would be taken against him.

8. The above are uncontroverted fact which go to show that neither the Manager of the Mica Mine nor the Agent even permitted Sidheshwar Singh to occupy the quarter belonging to Agent. It is clear that the house which was locked was opened by Sidheshwar Singh and used by him for his occupation. This was in violation of Section 16(a)(r) and (s) of the Standing Orders of the Company. It is, therefore, held that the charge of misconduct has been proved against the concerned workman.

9. It has been urged before me on behalf of the workmen that the punishment of dismissal was very hard and so some lighter punishment should be considered. It appears that the Agent Shri S. N. Jha gave several opportunity to

the concerned workman to vacate the quarter, but he paid no attention. Then again it was affrontary on the part of the concerned workmen to go and occupy by force the quarter meant for the highest authority of the mine namely the Agent. There is no extenuating circumstance before me to consider the case of the workmen for the lighter punishment than what has been awarded by the management.

10. A question was raised in the written statement of the management that since the recognised union had not taken up the dispute on behalf of the workman it could not be said to be a valid reference. This plea has been given up by the management at the time of hearing. I have, therefore, to hold that the reference is valid.

11. In the result I have to hold that the action of the management of Bhanakhap Mica Mine, P.O. Singer, District Nawadh, of M/s. Bhanakhap Mica Mining Company in dismissing Shri Sidheshwar Singh, Pump Khalasi from 31st March, 1978 is justified. The workman under the circumstance is not entitled to any relief whatsoever.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-28012/2/78-D.III(B)]
K. K. HANDA, Under Secy.

विस्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 1 अगस्त, 1981

का० आ० 2122.—केन्द्रीय सरकार, सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 7 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के विस्त मंत्रालय (राजस्व और सीमा विभाग) की अधिसूचना सं० 75 सीमा शुल्क तारीख 3 जुलाई, 1975 का निम्नलिखित और संशोधन करती है अर्थात् :—

उक्त अधिसूचना में उपाबद्ध सारणी में,—

- (i) स्तम्भ 2 में क्रम सं० 3 के सामने "श्रीनगर और" शब्दों का जोड़ दिया जाएगा।
- (ii) क्रम सं० 4 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित जोड़ा जाएगा अर्थात् :—

स्तम्भ 1	स्तम्भ 2	स्तम्भ 3
क्र० सं० 5	श्रीनगर	निम्नलिखित नियमित मात्र का लक्षण अर्थात्—
		(i) हस्तशिल्प
		(ii) टैक्सटाइल फैब्रिक्स सभी प्रकार के, चाहे वे प्राकृतिक या कृत्रिम फाइबर से या दोनों से बने हों और टैक्सटाइल से बनी वस्तुएं ;
		(iii) नकली आभूषण ; —
		(iv) काशीन ;
		(v) चमड़े का सामान ;
		(vi) विद्युत सामान, उनके उपसाधन और फायल पुरजे ;
		(vii) हाथ की धड़ियां उनके उपसाधन और फायल पुरजे ;
		(viii) खाद्य वस्तुएं, सभी प्रकार की, चाहे विनश्वर हों या अल्पव्यवस्था ; और
		(ix) फूल और बीज"

[सं० 181/41-सीमा शुल्क/ का० सं० 481/42/78-सीमा शुल्क-VIII]
एन० के० कपूर, अधीक्षक, मंत्रालय

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 1st August, 1981

S.O. 2122.—In exercise of the powers conferred by clause (a) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. 75-Customs, dated the 3rd July, 1975, namely:—

In the Table annexed to the said notification:—

(i) against serial No. 3, in column 2, the words "Srinagar and" shall be omitted;

(ii) after serial No. 4 and the entries relating thereto, the following shall be added namely:—

Col. 1	Col. 2	Col. 3
S.No. 5	Srinagar	The loading of export goods namely:— (i) Handicrafts; (ii) Textile Fabrics all sorts, whether made from natural or man-made fibres or both and, articles manufactured therefrom and, made up articles of textile manufactures; (iii) Imitation jewellery; (iv) Carpets; (v) Leather goods; (vi) Electric goods their accessories and spare parts; (vii) Wrist watcher their accessories and (viii) Articles of food all sorts, perishable or otherwise; and (ix) flowers and seeds."

[No. 181/81-Customs/F. No. 481/42/79-Cus. VII]

N. K. KAPUR, Under Secy.

Explanatory Note.—This notification seeks to permit export of additional items, by air, from Srinagar airport.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 15 जुलाई, 1981

क्र० आ० 2123.—भारतीय रेल अधिनियम, 1890 (1890 का 9) की धारा 47 की उपधारा (1) के खण्ड (ख ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा रेल यात्री (टिकटों का रद्दकरण तथा किरायों की वापसी) नियम, 1976 में निम्नलिखित संशोधन करती है:—

1. (1) ये नियम रेल यात्री (टिकटों का रद्दकरण तथा किरायों की वापसी) संशोधन नियम, 1981 कहें जायेंगे।

(2) ये 1 अगस्त, 1981 से लागू होंगे।

2. रेल यात्री टिकटों का रद्दकरण तथा किरायों की वापसी नियम—1976 में,—

(क) नियम-6 के उप नियम (3) के खण्ड (1) में निम्नलिखित दिवशी को सम्मिलित किया जाय प्रस्तावित:—

"दिवशी—उत्त टिकटों के मापले में जिनके लिए उनखण्ड की मर

(ग) के अन्तर्गत रद्दकरण की स्वीकृति दी गयी है, सुपर फास्ट गाड़ियों के लिए प्रभावी पूर्व प्रचार और/अथवा दूसरे दर्जे के शयिका प्रचार भी वापस नहीं किये जायेंगे।

(ख) नियम 10 में

(i) वर्तमान नियम को उप नियम (1) के रूप में पुनर्संशोधित कर दिया जायेगा।

(ii) इस प्रकार पुनर्संशोधित वर्तमान नियम के बाद उप-नियम (2) के रूप में निम्नलिखित नये उप-नियम का सम्मिलित किया जाये प्रस्तावित:

"(2) यदि कोई यात्री जिनके अपनी यात्रा के लिए किसी दूसरे स्टेशन से टिकट खरीदी है और जो यात्रा प्रारम्भ करने में असमर्थ है, तो उसे उस स्टेशन द्वारा जहाँ से यात्रा प्रारम्भ होती है, धन वापसी की जायेगी बशर्त कि यात्रा निम्नलिखित कारणों में से किसी एक कारण से रद्द की गयी हो प्रस्तावित

(क) यदि गाड़ी रद्द कर दी गयी हो या रीत घंटे से अधिक विलम्ब से चल रही हो।

(ख) यदि टिकट वातानुकूलित वर्ग के लिए हो और वातानुकूल उपस्कर में खराबी हो गयी हो तथा यात्री अन्य किसी वर्ग में यात्रा करने के लिए अनिच्छुक हो।

(ग) अगर किसी यात्री की यात्रा के लिए प्रारक्षण का पुष्टि या तो उस कार्यालय द्वारा कर दी गयी हो जहाँ से आपके कंटे में टिकट जारी किया गया हो अथवा उसकी पुष्टि गाड़ी प्रारम्भ होने वाले स्टेशन द्वारा की गयी है, परन्तु स्टेशन पहुँचने से प्रतीत होता है कि प्रारक्षण नहीं किया गया है।"

[सं० टी सी 11/2003/72/1]

हिम्मत सिंह, सचिव,

रेलवे बोर्ड, एवं भारत सरकार के पदेन संयुक्त सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 15th July, 1981

S.O. 2123.—In exercise of the powers conferred by clause (bb) of sub-section (1) of section 47 of the Indian Railways Act, 1890 (9 of 1890), the Central Government hereby makes the following amendments to the Railway Passengers (Cancellation of Tickets and Refund of Fares) Rules, 1976 namely:—

1. (1) These rules may be called the Railway Passengers (Cancellation of Tickets and Refund of Fares) Amendment Rules, 1981.

(2) They shall come into force on the first day of August, 1981.

2. In the Railway Passengers (Cancellation of Tickets and Refund of Fares) Rules, 1976,—

(a) In rule 6, in sub-rule (3) after clause (i), the following note shall be inserted namely:—

"Note—In the case of tickets for which refund is granted under item (c) of sub-clause (i) the supplementary charge leviable for superfast trains and/or second-class sleeper charges shall not also be refundable";

(b) In rule 10,—

(i) the existing rule shall be re-numbered as sub-rule (1);

(ii) after the existing rule so re-numbered the following new sub-rule shall be inserted as sub-rule (2) namely:—

"(2) A passenger who is unable to perform the journey for which he has bought the ticket from

another station, refund may be granted by the station from which the journey is to commence provided that the journey is cancelled for any one of the following reasons namely :—

- (a) the train is cancelled or is running late by more than three hours;
- (b) where the ticket is for air-conditioned accommodation the air-conditioning equipment fails and the passenger is unwilling to travel in another class;
- (c) has been given confirmed reservation for the journey, either by the office which issued the ticket against its quota or by the station from which the train originates, but finds on arrival at the station that reservation has not been provided."

[No. TCII/2003/72/1]

HIMMAT SINGH, Secy. Railway Board and
Ex. Officio Jt. Secy.

दिल्ली विकास प्राधिकरण

नई दिल्ली, 1 अगस्त, 1981

नोटिस

क्र० आ० 2124.— दिल्ली विकास अधिनियम, 1957 (1957 की सं० 61) की धारा—11 के अन्तर्गत नोटिस।

एतद्द्वारा नोटिस दिया जाता है कि :—

- (ए) केन्द्रीय सरकार ने दिल्ली विकास अधिनियम, 1957 (1957 की सं० (61) की धारा—9 की उपधारा (2) के अन्तर्गत क्षेत्र सी - 16 (विजय नगर) और सी- 17 (राना प्रताप बाग) के क्षेत्रीय विकास चित्र को अनुमोदित कर दिया है,
- (बी) यथा-अनुमोदित चित्र की प्रति सभी कार्यशील दिनों में 11-00 बजे (पूर्वा०) से 3-00 बजे (अप०) तक के दौरान दिल्ली विकास प्राधिकरण के कार्यालय विकास मीनार में 19वीं मंजिल पर इन्द्रप्रस्थ इस्टेट, नई दिल्ली में देखी जा सकती है।

[सं० एफ 4(1)/65-एम पी]

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 1st August, 1981

NOTICES

S.O. 2124.—Notice under Section 11 of Delhi Development Act, 1957 (No. 61 of 1957).

Notice is hereby given that :—

- (a) The Central Government have, under Sub-Section (2) of Section 9 of the Delhi Development Act, 1957 (No. 61 of 1957) approved a Zonal Development Plan for the Zones C-16 (Vijay Nagar) and C-17 (Rana Pratap Bagh).
- (b) A copy of the plan as approved may be inspected at the office of the Delhi Development Authority, Vikas Minar, 19th Floor, Indraprastha Estate, New Delhi Between the hours of 11.00 a.m. and 3.00 p.m. on all working days.

[No. F. 4(1)/65-MP]

क्र० आ० 2125.— दिल्ली विकास अधिनियम, 1957 (1957 की सं० 61) की धारा-11 के अन्तर्गत नोटिस।

एतद्द्वारा नोटिस दिया जाता है कि :—

- (ए) केन्द्रीय सरकार ने दिल्ली विकास अधिनियम, 1957 (1957 की सं० 61) की धारा—9 की उपधारा (2) के अन्तर्गत क्षेत्र डी-7 (पुराना किला) के क्षेत्रीय विकास चित्र को अनुमोदित कर दिया है।
- (बी) यथा-अनुमोदित चित्र की प्रति सभी कार्यशील दिनों में 11-00 बजे (पूर्वा०) से 3-00 बजे (अप०) तक के दौरान दिल्ली विकास प्राधिकरण के कार्यालय विकास मीनार में 19वीं मंजिल पर इन्द्रप्रस्थ इस्टेट, नई दिल्ली में देखी जा सकती है।

[सं० एफ 4 (12)/66-एम पी]

नाथूराम, सचिव,

दिल्ली विकास प्राधिकरण

S.O. 2125.—Notice under Section 11 of the Delhi Development Act, 1957 (No. 61 of 1957).

Notice is hereby given that :—

- (a) The Central Government have, under Sub-section (2) of Section 9 of the Delhi Development Act, 1957 (No. 61 of 1957), approved the Zonal Development Plan for Zone D-7 (Purana Quila).
- (b) A copy of the plan as approved may be inspected at the office of the Delhi Development Authority, Vikas Minar, I.P. Estate, 19th Floor, New Delhi-2 between the hours of 11.00 a.m. and 3.00 p.m. on all working days.

[No. F. 4(12)/66-MP]

NATHU RAM, Secy.,

Delhi Development Authority.

